



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



NINETEENTH (19th) CONGRESS
First Regular Session

House Bill No. 2383

Introduced by: Hon. Ma. Victoria Co - Pilar

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EXPLANATORY NOTE

To start progress and development, first, we must recognize that our land resources are limited and it is an integral component of governance. Second, that our policies for the use and management of our land resources, must be holistic, efficient and effective as it affects all the sectors of our country.

Learning from the proposals for national land use from legislators before us, they identified that conflicting and confusing interventions of different government agencies have affected the sector of agriculture, human settlement, industry, national economy and other areas. Hence, it is upon us to approve a policy that is clear, unified and systematic about the allocation, disposition, development, utilization and management of land resources.

Respectfully, this bill aims to harmonize existing laws, issuance and orders governing the management and use of land resources. Further, this bill seeks to establish a guideline for the planning at the national and local level.

With the mandate given to this new administration and the 22nd Congress let us now take the first step on laying the foundations of progress.

In view of the foregoing, the approval of this bill is earnestly urged.

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AN ACT

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INSTITUTING A NATIONAL LAND USE AND MANAGEMENT POLICY,

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PROVIDING THE IMPLEMENTING MECHANISMS, AND

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APPROPRIATING FUNDS THEREFOR

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Be it enacted by the Senate and House of Representatives of the

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Philippines in Congress assembled:

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CHAPTER I

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INTRODUCTORY PROVISIONS

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SECTION 1. Title – This Act shall be known and cited as the “National

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Land Use Management Act of the Philippines”.

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SECTION 2. Declaration of Policies and Principles. – it is the policy of the

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State to:

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(a) Provide for a rational, holistic and just allocation, utilization,

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management, and development of the country’s land and water

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resources so that their use is consistent with the principles of equity,

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social justice, environmental integrity and sustainable development for

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the common good;

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(b) Hold owners and users of land responsible for developing and

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conserving their lands thereby making these productive and

supportive of sustainable development and environmental stability in accordance with the principle that the use of land bears a social function and that all economic agents shall contribute to the common good;

(c) Treat groups of islands, including parts of islands, interconnecting waters and other natural features which are also closely interrelated, as forming an intrinsic geographical, economic and political entity, or which historically have been regarded as such entity;

(d) Strengthen the capacity of the local government units (LGUs) to manage and maintain ecological balance within their territorial jurisdiction, in partnership with the national government, in accordance with the Philippine Constitution and Republic Act No. 7160 or the Local Government Code of 1991.

Towards this end, the State shall institutionalize land use and physical planning as a mechanism for identifying, determining and evaluating appropriate land use and allocation patterns that promote and ensure:

- (1) Maintenance and preservation of environmental integrity and stability;
- (2) Sustainable and just management and utilization of natural resources;
- (3) Disaster risk reduction and climate risk – based planning;
- (4) Protection and prime agricultural lands for food security, with emphasis on self – sufficiency through efficient and sustainable use of land resources consistent with the principles of sound agricultural development, natural resources development, and agrarian reform;
- (5) Protection and conservation of the country’s natural heritage, permanent forest lands, natural forests, critical watersheds and key biodiversity areas to ensure adequate forest cover to maintain ecological processes in the country;
- (6) Sustainable development and management of water resources;
- (7) Settlements, transportation and other infrastructure development in support of inclusive growth and rural, urban and regional development;
- (8) Improved access to affordable housing by increasing the supply thereof through direct allocation, better access to unutilized lands, and increased production of multiple use and higher density projects, where appropriate;
- (9) Respect for and protection of traditional resource right of the Indigenous Cultural Communities / Indigenous Peoples (ICCs/IPs) to their ancestral domains; compliance with free and prior informed consent of ICCs/IPs; and recognition of customary laws and traditional

resource use and management, knowledge, and practices in ancestral domains;

(10) Equitable access to land through State intervention that guarantees its affordability to the basic disadvantaged sectors defined under Republic Act No. 8425 or the Social Reform and Poverty Alleviation Act;

(11) Energy security or energy self – sufficiency;

(12) Preservation and conservation of parks and protected areas to keep the scenery, the natural and historic objects, and the biodiversity therein in the natural state and prevent them from being damaged for purposes of public recreational use and enjoyment; and

(13) Meaningful participation of the basic sectors.

SECTION 3. Scope – This act shall apply to all lands and all resources therein, whether public, private, government – owned, and / or in the possession of any person, whether natural or juridical, and shall guide the rational, holistic and just allocation, utilization, development and management of the country’s land and water resources including such activities that bear impact on said resources.

SECTION 4. Definition of Terms. – As used in this Act:

(a) *Agricultural land* – refers to the subclass of classified agricultural lands devoted to or suitable for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production, including the harvesting of such farm products and other farm activities and practices performed in conjunction with such farming operations, by persons whether natural or juridical, and not classified as residential land, commercial land or industrial land;

(b) *Agricultural land use conversion* – refers to the undertaking of any development activity which modifies or alters the physical characteristics of agricultural lands to render them suitable for non-agricultural purposes under an approved order of conversion issued by the appropriate government agency;

(c) *Alienable and disposable lands of the public domain* – refers to lands of the public domain which have been delineated, classified, and certified as such and available for disposition under Commonwealth Act No. 141, otherwise known as the Public Land Act, as amended;

(d) *Ancestral domains* – refer to all areas generally belonging to ICCs/IPs as defined in Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act (IPRA) of 1997;

(e) *Ancestral Domain Suitable Development and Protection Plan (ADSDPP)* – refers to a plan formulated and pursued in accordance with the rights

of ICCs/IPs to manage and develop the land as well as natural and human resources within their ancestral domains based on their indigenous knowledge systems and practices on the principle of self-determination;

(f) *Classified agricultural land* - refers to one of the four (4) classifications of land

under the Constitutions not classified by law as mineral land, forest land or national

park and the only land classification subject to alienation;

(g) *Coastal Area / Zone* - refers to a band of dryland and the adjacent ocean space (water and submerged land) in which terrestrial processes and uses directly affect oceanic processes and uses, and vice versa, Its geographic extent may include areas within a landward limit of one (1) kilometer from the shoreline at high tide to include mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches and other areas within a seaward limit of two hundred (200) meters isobaths to include coral reefs, algal flats, seagrass beds, and other soft-bottom areas;

(h) *Comprehensive Land Use Plan (CLUP)* - refers to a document embodying a set of policies, accompanied by maps and similar illustrations that serve as a policy guide for determining the future use of lands and natural resources within the territorial jurisdiction of the LGUs. It represents the community-desired pattern of population distribution and proposes future allocation of land and resources to various activities, It includes the processes and criteria employed in such determination of allocation of land and resources, It is a plan for the long-term management of the local territory covering a period of a minimum of ten (10) years, reviewable not earlier than every five (5) years base on the four (4) categories of land use planning provided in Section 6 of this Act;

(i) *Comprehensive land use planning* - refers to the act of defining the allocation, utilization, development and management of all lands within a given territory or jurisdiction according to the inherent characteristics of the land itself and supportive of sustainable, economic, demographic, sociocultural and environmental objectives as an aid to decision-making and legislation;

(j) *Critical watershed* - refers or forest lands that have been identified and evaluated to provide critical and vital natural, ecological, environmental and physical beneficial services such as water, biodiversity, energy, irrigation, social and cultural, among others, to a specific area or community and whose biophysical condition demands

- 1 immediate rehabilitation, protection and management to prevent
2 its further denudation, deterioration and exploitation;
- 3 (k) *Cultural heritage* - refers to a totality of cultural properties, whether
4 natural or
5 human-made, preserved and developed through time, and passed on
6 the posterity;
- 7 (l) *Customary laws* - refer to a body of written/or unwritten rules, usages,
8 customs
9 And practices traditionally and continually recognized, accepted, and
10 observed by respective ICCs/IPs consistent with IPRA;
- 11 (m) *Danger zones* - refer to areas with high level of threat to the lives and
12 well-
13 being of people that cannot be addressed through scientific, physical
14 and engineering methods, and are therefore not suitable for settlement
15 and permanent structures. Areas can only be declared as danger zones
16 after proper technical studies and public consultations with affected
17 families are conducted;
- 18 (n) *Development plan* - refers to a document that defines the activities and
19 measures that the national government or LGUs intend to implement
20 over a specified period of time in order to achieve the defined set of
21 development goals identified in the national or local physical
22 framework plans. It integrates socioeconomic, financial, fiscal legal
23 legislative, institutional and sectoral plans of the national government
24 or any of its instrumentalities or a particular LGU, consistent with the
25 objectives identified in spatial plans such as land use plans or physical
26 framework plans. It may include an analysis of problems and
27 resources, definition of goals and objectives, policy guidelines, project
28 and target achievements, and an implementation mechanism which
29 defines the roles and contributions expected from the government and
30 the private
31 sector;
- 32 (o) *Disaster-prone areas or Geo-hazard areas* - refer to areas frequented by
33 and/or vulnerable to experience weather, climatic, hydrologic,
34 geologic, and other natural disturbances or calamities;
- 35 (p) *Disaster risk reduction* - refers to the concept and practice of reducing
36 disaster risks through systematic efforts to analyze and manage the
37 casual factors of disasters, including reduced exposures to hazards,
38 lessened vulnerability of people and property, wise management of
39 land and the environment, and improved preparedness for adverse
40 events;
- 41 (q) *Ecologically fragile lands* - refer to lands within critical watersheds,
42 brackish and freshwater wetlands, pasturelands, inland rivers and
43 waterways, coastal and settlement areas, and croplands which require

- rehabilitation, protection, and whose continued unsustainable use would result in physical risks and threats to life and property, public health and safety, as well as adversely affect the productivity of lowland agricultural areas and stability of the upland system;
- (r) *Ecotourism* - refers to a form of sustainable tourism within a natural and/or cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of the host community and satisfaction of visitors;
- (s) *Energy resources* - refer to surface to subsurface substances that serve as energy sources. These are traditionally mineral fuel deposits such as coal, petroleum, natural gas or renewable resources from geothermal, hydro reservoirs, or nonconventional sources including ocean waves, solar, wind, biomass, and other similar resources which serve the same purpose;
- (t) *Energy resource lands* - refer to lands where naturally occurring or indigenous Energy resources exist in sufficient quantity and/or quality as to be economically viable for exploration, development, production, utilization, and distribution purposes;
- (u) *Environmentally critical area* - refer to areas declared by law as:
- (1) areas for Natural parks, watershed reserves, wildlife preserves, and sanctuaries;
 - (2) Areas set aside for aesthetic and visual value;
 - (3) Areas that constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife both flora and fauna;
 - (4) Areas of unique historic, archaeological, or scientific interests;
 - (5) Areas that are traditionally occupied by ICCs/IPs
 - (6) Areas with critical slopes;
 - (7) Areas frequented and/or hard hit by natural calamities such as, but not limited to, geologic hazards, floods, typhoons and volcanic activities;
 - (8) Recharge areas of aquifers;
 - (9) Mangrove areas;
 - (10) Coral reefs;
 - (11) Mossy and virgin forests;
 - (12) Rivers and riverbanks;
 - (13) Swamp forests and marshlands;
 - (14) Foreshore lands;
 - (15) protected areas pursuant to republic Act No. 7586 or the NIPAS Act of 1992; and

(16) areas set aside as aesthetic potential tourist spots. This term shall also include other terrestrial, aquatic and marine areas that need special protection and conservation measures because they are ecologically fragile or they are needed for food security and food self-sufficiency as determined by concerned agencies and LGUs in consultation with the concerned stakeholders;

(v) *Exhausted mineral resources* - refer to a situation where the mineral resources in specific sited are no longer in sufficient quantity or quality to justify additional expenditure for extraction or utilization;

(w) *Flood plain* - refers to the portion of a river valley adjacent to a river channel which is covered with water when the river overflows its banks at flood stages, and which usually consists of silt deposited by the stream;

(x) *Flood-prone areas* - refer to low-lying areas usually adjacent to large or active water bodies and which therefore experience regular or seasonal inundation as a result of changes in the mean water level of these bodies or because of land reclamation and other artificial interference with the natural processes.

(y) *Food security* - refers to the policy objective of meeting the requirements for food availability, accessibility, and affordability of the present and future generations of Filipinos in a sustainable manner, through local production or importation in case of shortage based on a micro level situation, or both, and taking into account the country's existing and potential resource endowments and related production advantages, and consistent with the overall national development objectives and policies;

(z) *Food self-sufficiency* - refers to the policy objective of meeting the food requirements through intensive local food production in a sustainable manner based on the country's existing and potential resources and related production advantages;

(aa) *Foreshore land* - refers to a string of land margining a body or water, the part of a seashore between the low-water line usually at the seaward margin of a low tide terrace and the upper limit of wave wash at high tide often marked by a beach scarp or berm;

(bb) *Forest* - refers to an ecosystem or an assemblage of ecosystems dominated by trees and other woody vegetation; a community of plants and animals interacting with one another and its physical environment;

(cc) *Forest lands* - refers to one of the four (4) classifications of land under the Constitution under the public domain classified and/or determined as suitable for forest purposes not classified as mineral land, national park and classified agricultural land. These include all

- 1 permanent forest, forest reserves, forest reservations, and all the
2 remaining unclassified lands of the public domain;
- 3 (dd) *Forest Land Use Plan (PLUP)* - refers to the allocation of forest lands
4 into their appropriate uses consistent with existing biophysical
5 conditions such as topography, soil type, land use, climate, water
6 sources and socioeconomic, cultural and political realities. Forest land
7 use planning should be able to delineate protection and production
8 forests;
- 9 (ee) *Forest land sub classification* - refers to the process of determining the
10 most appropriate and sustainable use of forest lands primarily as
11 protection forest and production forest. They may be further
12 subclassified as grazing/pasture land, recreational areas and other
13 uses taking into account ecological, social and economic
14 considerations;
- 15 (ff) *Free, Prior and Informed Consent (FPIC)* - refers to the consensus of all
16 members of the ICCs/IPs to be determined in accordance with their
17 respective customary laws and practices, free from any external
18 manipulation, interference and coercion, and obtained after fully
19 disclosing the intent and scope of the activity, in a language and
20 process understandable to the community;
- 21 (gg) *Geo-hazards* - refer to nature and human-induced geological
22 processes that have potential to cause destruction and which pose a
23 threat or risk to a person's life and property. These may include, but
24 are not limited to, ground, water and weather-related conditions,
25 volcanic and earthquake induced hazards as ground shaking, ground
26 rupture, earthquake-induced landslides, liquefaction and tsunami;
- 27 (hh) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)* - refer
28 to groups of people or homogenous societies identified by self-
29 ascriptions and ascriptions by others, who have continuously lived as
30 organized community on communally bounded and defined territory,
31 and who have, under claim of ownership since time immemorial,
32 occupied, possessed and utilized such territories, sharing common
33 bonds of language, customs, traditions and other distinctive cultural
34 traits, or who have, through resistance to political, social and cultural
35 inroads of colonization, nonindigenous religions and cultures, became
36 historically differentiated from the majority of Filipinos. ICCs/IPs shall
37 likewise include peoples who are regarded as indigenous on account of
38 their descent from the populations which inhabited the country at the
39 time of conquest or colonization, or at the time of inroads of
40 nonindigenous religions and cultures, or the establishment of present
41 State boundaries, who retain some or all of their own social, economic,
42 cultural and political institutions, but who may have displaced from

- 1 their traditional domains, or who may have resettled outside of their
2 ancestral domains;
- 3 (ii) *Inland waters* - refer to waters, which are not coastal and marine waters,
4 and not subject to acquisitive prescription consistent with the
5 provisions of Presidential Decree No. 1067 or the Water Code of the
6 Philippines;
- 7 (jj) *Integrated watershed management* - refers to a planning strategy or
8 program for Watershed areas that complement environment sound soil
9 and water management practices with mechanisms for ensuring
10 greater responsibility, involvement, or participation of individuals,
11 groups, communities and other stakeholders benefiting from these
12 areas and water-related infrastructure;
- 13 (kk) *Key Biodiversity Areas (KBAs)* - refer to the present most important
14 sites for Biodiversity conservation worldwide. These are places of
15 international importance for the conservation of biodiversity through
16 protected areas and other governance mechanisms. They are identified
17 nationally using simple, standard criteria, based on their importance in
18 maintaining species populations.
- 19 (ll) *Land* - refers to resources, both artificial and natural, found on the
20 surface, below, and above the ground including inland waters and the
21 air therein;
- 22 (mm) *Land sub classification* - refers to the act of determining and assigning
23 specific uses of classified lands such as forest lands, classified
24 agricultural lands, mineral lands and national parks in accordance with
25 existing laws and this Act;
- 26 (nn) *Land use* - refers to the manner of allocation, utilization,
27 management and Development of land;
- 28 (oo) *Land use classification* - refers to the act of delineating or allocating
29 lands according to protection land use, production land use,
30 settlements development and infrastructure development as defined
31 and provided for in this Act;
- 32 (pp) *Mandatory public hearings/Consultations* - refers to the mechanism
33 to ensure the involvement of concerned stakeholders and communities
34 in land use planning, from the barangay to the national level, to ensure
35 the social acceptability of the plans. It should involve giving notice of
36 hearing/consultation to concerned stakeholders through publication or
37 posting in conspicuous places, conduct of a reasonable number of
38 hearings, and solicitation of positions to arrive at a consensus. Public
39 presentation of the plans;
- 40 (qq) *Marine Protected Area (MPA)* - refers to a defined area of the sea
41 established and set aside by law, administrative regulation or any other
42 effective means in order to conserve and protect a part of or the entire
43 enclosed environment, through the established of management

- 1 guidelines. It includes all declared areas governed by specific rules or
2 guidelines in order and manage activities within the enclosed areas;
- 3 (rr) *Mineral exploration* - refers to the systematic searching or protecting for
4 mineral resources including energy resources;
- 5 (ss) *Mineral lands* - refers to lands of the public domain, excluding those
6 in permanent forestlands and protection lands, where mineral
7 resources are found in sufficient quantity and quality for extraction,
8 development and utilization;
- 9 (tt) *Multiple use of land resources* - refer to the utilization or management
10 strategy for any land, which allows any activity, involving one or more
11 of its resources, depending on the result of prior evaluation on its
12 numerous beneficial use, that will produce the optimum benefits to the
13 development and progress of the country and the public welfare
14 without impairment or with the least injury to its other resources;
- 15 (uu) *Municipal waters* - refers to not only streams, lakes, inland bodies of
16 water and tidal waters within the municipality which are not included
17 within the protected areas as defined under Republic Act No. 7586 of
18 the National Integrated Protected Areas System or the NIPAS Act of
19 1992, public forest, timber lands, forest reserves of fishery reserves, but
20 also marine waters included between (2) lines drawn perpendicular to
21 the general coastline from points where the boundary lines of the
22 municipality touch the sea at low tide and a third parallel with the
23 general coastline including offshore islands and fifteen (15) kilometers
24 from such coastline. Where the territory of a municipality includes
25 several islands, outermost points of such islands shall be used as base
26 points and connected by archipelagic baseline, irrespective of the
27 lengths of such baselines from the main coastlines. Where two (2)
28 municipalities are situated on opposite shores that there is less than
29 thirty (3) kilometers of marine waters between them, the third line shall
30 be equally distant from opposite shore of the respective municipalities;
- 31 (vv) *National integrated Protected Areas System (NIPAS)* - refers to the
32 classification and administration of all designated protected areas to
33 maintain essential ecological processes and life-support systems, to
34 preserve genetic diversity, to ensure sustainable use of resources found
35 therein, and to maintain their natural conditions to the greatest extent
36 possible;
- 37 (ww) *National Land Use Policy Council (NLIPC)* - refers to the
38 administrative, policy-making, and making regulatory body created
39 under this Act;
- 40 (xx) *National Park* - refers to forest reservation essentially of natural
41 wilderness Character which has been withdrawn from settlement,
42 occupancy or any form of Exploitation except in conformity with
43 approved management plan and set aside as such exclusively to

1 conserve the area or preserve the scenery, natural and historic objects,
 2 wild animals and plants therein and to provide enjoyment of these
 3 feature in such areas. It shall also refer to lands and waters of the
 4 public domain classified as such in the 1987 Constitution which include
 5 all areas under the NIPAS, pursuant to Republic Act No. 7586 or the
 6 NIPAS Act of 1992. Primarily designated for the conservation of native
 7 plants and animals and associated habitats and cultural diversity;
 8 (yy) *Network of Protected Areas for Agriculture and Agro-industrial*
 9 *Development* (NPAAAD) - refers to agricultural areas identified by the
 10 Department of Agriculture (DA) through the Bureau of Soils and
 11 Water Management (BSWM) in coordination with the National
 12 Mapping and Resource Information Authority (NAMRIA) in order to
 13 ensure the efficient utilization of land for agriculture and agro-
 14 industrial development and to promote sustainable growth. The
 15 NPAAAD covers all irrigated areas; all irrigable lands already covered
 16 by irrigation projects: all alluvial plains: lands highly suitable for
 17 agriculture whether irrigated or not; agro-industrial croplands or lands
 18 planted to industrial crops that support the validity of existing
 19 agricultural infrastructure and agro-based enterprises; highlands or
 20 areas located at an elevation of five hundred (500) meters or above and
 21 have the potential for growing semi-temperate and high value crops;
 22 all agricultural lands that are ecologically fragile the conversion of
 23 which will result in serious environmental degradation; and all
 24 mangrove areas and fish sanctuaries;
 25 (zz) *Permanent forest of Forest reserves* - refers to lands of the private or
 26 public domain which have been identified and determined to be
 27 needed for protection, conservation, Preservation and management as
 28 forest and shall be reserved, conserved and protected into perpetuity
 29 for such purpose;
 30 (aaa) *Permanent forestlands* - refer to the forestlands, within public lands,
 31 that have been identified, determined and demarcated on the ground
 32 by the State to serve such purpose and shall be protected, conserved,
 33 preserved, maintained and manage as forestlands free from any
 34 form of utilization, exploitation or development, and reserved
 35 permanently as such for the benefit and use of future generations;
 36 (bbb) *Physical framework plans* - refer to the national, regional or provincial
 37 indicative plans that outline the overall and macro-level physical
 38 development objectives, priorities, directions and strategies in its
 39 respective levels as prepared, reviewed, integrated and finalized by the
 40 national, regional, regional and provincial land use councils/boards,
 41 respectively, based on the Comprehensive Land Use Plans (CLUPs) of
 42 the LGUs and the national policy guidelines relating to land use and
 43 environment management to prevent or mitigate the adverse effects of

1 inappropriate resource utilization on food security, the people's
2 welfare, and their environment;

3 (ccc) *Premature or illegal conversion* - refers to any activity that modifies or
4 alters the physical characteristics of agricultural lands to render them
5 suitable for nonagricultural purposes without an approved order of
6 conversion from the Department of Agrarian Reform (DAR) Secretary;

7 (ddd) *Prime agricultural lands* - refer to all contiguous irrigated areas and
8 irrigable lands already covered by irrigation projects; all alluvial plain
9 lands highly suitable for agriculture whether irrigated or not have been
10 identified to satisfy the country's needs for food self-sufficiency and
11 security; agro-industrial croplands or lands presently planted and
12 suitable to industrial and high value crops; highlands, or areas located
13 at an elevation of five hundred (500) meters or above and have the
14 potential for growing semi-temperature and high value crops outside
15 of declared permanently forestlands and protection forests, and are not
16 located in ecologically fragile and environmentally critically areas;

17 (eee) *Production forest* - refers to forestland located in production lands
18 managed primarily for the production of timber and other tree
19 products;

20 (fff) *Production land use* - refers to the direct and indirect utilization of
21 land to generate output resulting from the following activities;
22 agricultural, fish farming or aquaculture, timber or agri-forestry,
23 grazing and pasture, mining, indigenous energy resource
24 development, industry, and tourism;

25 (ggg) *Protected areas* - refer to portions of land and water set aside by
26 reason of their unique physical and biological significance, managed to
27 enhance biological diversity, and protect against human exploitation.
28 For purposes of this Act, these shall also include all-natural forests
29 and agricultural lands identified and delineated under this Act;

30 (hhh) *Protected forests* - refer to forests and forestlands, in both public and
31 private lands, that have been identified and determined by the State
32 for the beneficial use of present and future generations and shall be
33 preserved, conserved, protected and maintained as such free from any
34 form of utilization, exploitation or development;

35 (iii) *Protected land use* - refers to the use of land primarily reserved for
36 rehabilitation, conservation, and protection purposes and the
37 promotion of the country's ecological and life-support systems;

38 (jjj) *Public domain* - refers to lands belongings to the State which may be
39 classified as agricultural, forest or timber, mineral, or national park as
40 provided for in the Constitution;

41 (kkk) *Reclassification of agricultural lands* - refer to the act of specifying how
42 agricultural lands shall be utilized for non-agricultural uses such as for
43 residential, industrial, or commercial purposes, through the local

1 planning and zoning processes pursuant to the Local Government
2 Code of 1991, and subject to the requirements and procedure for
3 conversion;

4 (lll) *Resettlement sites* - refer to areas identified by the appropriate national
5 agency or by the LGU, with respect to areas within its jurisdiction,
6 which shall be used for the relocation of the underprivileged and
7 homeless, as defined under Republic Act No. 7279 or the Urban
8 Development and Housing Act (UDHA) of 1992;

9 (mmm) *Restoration* - refers to returning forestland to its original forested
10 state in terms of species' composition, structure, function and
11 productivity;

12 (nnn) *Restoration zones* - refer to forest areas where activities are
13 conducted to restore its forested state;

14 (ooo) *River basin* - refers to the horizontal projection of area from which a
15 river and its tributaries receive surface water originating from
16 precipitation;

17 (ppp) *Settlements* - refer to communities or built - up environment areas
18 where people prefer to live in;

19 (qqq) *Settlements development* - refers to any improvement on existing
20 settlements or any proposed development of certain areas for
21 settlement purposes. It also involves the spatial distribution of
22 population, identification of the roles and functions of key
23 urban centers, determines of relationships among settlement areas, and
24 the provision of basic services and facilities of identified major
25 settlement areas or growth centers;

26 (rrr) *Shoreline* - refers to a strip of land covering at least one (1) kilometer
27 from the point where seawater reaches during the highest high tide;

28 (sss) *Spatial data infrastructure* -refers to a system consisting of spatial
29 data, technology, policies, practices, relationships, people and
30 resources necessary to acquire, process, store and distribute spatial
31 information to improve sharing and use throughout all levels of the
32 government and private sector, among others, which shall
33 be operationalized through electronic system that provides access to a
34 network of spatial data sources and users and shall serve as the official
35 linkage of the government to international and regional spatial data
36 infrastructure;

37 (ttt) *Socialized housing* - refers to housing programs and projects covering
38 home lots, houses and lots, or low-rise to medium-rise buildings, or
39 high density housing projects undertaken by the government or the
40 private sector for the underprivileged and homeless citizens which
41 shall include sites and services development,
42 long-term financing direct subsidy programs, liberalized terms on

1 interest payment, and such other benefits in accordance with the
2 UDHA and Batas Pambansa Blg. 220;

3 (uuu) *Socialized housing sites* - refer to lands identified and designated by
4 LGUs as sites for socialized housing pursuant to Article IV of the
5 UDHA and its implementing guidelines;

6 (vvv) *Strategic Agriculture and Fisheries Development Zones (SAFDZs)* - refer
7 to areas within the NPAAAD identified for production, agro-
8 processing and marketing activities to help develop and modernize,
9 within the support of government, the agriculture and fisheries sectors
10 in an environmentally and sociocultural sound manner;

11 (www) *Sub classification or Reclassification of Agricultural Lands* - refers
12 to the process undertaken by the LGUs of allocating declared
13 agricultural lands in their respective territorial jurisdictions to specific
14 uses such as residential, industrial or commercial purposes and may be
15 used as a basis for application for land conversion by the owners
16 thereof;

17 (xxx) *Sustainable development* - refers to the development objective of
18 meeting the needs of the present generation without compromising the
19 ability of future generations to meet their own needs, consistent with
20 the principles of social equity, efficiency, and environmental integrity;

21 (yyy) *Sustainable traditional resource rights* refer to the rights of ICCs/IPs to
22 sustainably use, manage, protect and conserve: (1) land, air, water, and
23 minerals; (2) plants, animals and other organism; (3) collecting, fishing
24 and hunting grounds; (4) sacred sites; and (5) other areas of economic,
25 ceremonial and aesthetic value in accordance with their indigenous
26 knowledge, beliefs, system and practices;

27 (zzz) *Tourism development areas* - refer to specific sites for tourism
28 development located in areas identified as priorities in the national and
29 regional tourism master plans as well as those designated through
30 legislative and executive issuances as tourist spots and tourist zones
31 which can be developed into tourism estates or integrated resort,
32 leisure, recreation complexes, and other tourism-related facilities;

33 (aaaa) *Tourism ecozone* - refers to tourism development areas, outside
34 protection lands, which have been granted Special Economic Zone
35 status, through the Philippine Export Authority (PEZA) registration
36 and issuance of the required Presidential Proclamation, with its metes
37 and bounds delineated by said Proclamation, pursuant to Republic Act
38 No. 7916 or The Special Economic Zone Act (SEZA) or 1995, as
39 amended;

40 (bbbb) *Tourism estates* - refer to large tracts of land with well-defined
41 boundaries in any area, excluding those in protection lands, identified
42 in the Philippine tourism master plan and regional tourism master
43 plan, by proclamation of the President and/or by acts of Congress

and/or by local legislation and declared suited for the development of an integrated tourism and resort complex with prescribed carrying capacities and limits for its facilities and activities;

(cccc) *Tourist spot* - refers to a particular area/site/spot, human-made or natural, known for its unique tourist/visitor-drawing attributes and activities and which may be classified according to its social, cultural, natural, historical, aesthetic, visual, scientific, religious, and recreational significance;

(dddd) *Tourist zone* - refers to a geographic area with well-defined boundaries proclaimed as such by the President and/or by acts of Congress. No development projects for any purpose shall be initiated and introduced within the zone prior to the formulation of a tourist master development plan which shall be undertaken in coordination with the Department of Tourism (DOT) and the Tourism Infrastructure and Enterprise Zone Authority (TIEZA). A tourist zone is established for the enhancement and/or the conservation of cultural and historical heritage and for the appreciation and enjoyment of the local population and its visitors;

(eeee) *Urban areas* - refer to all cities regardless of their population density and to municipalities with a population density of at least five hundred (500) persons per square kilometer;

(ffff) *Urbanizable areas* - refer to sites and lands which, considering present characteristics and prevailing conditions, display marked and great potential of becoming urban areas within a period of five (5) years;

(gggg) *Urban forestry* or *Green space* - refers to the establishment or setting-up of areas for mini-forest, eco-parks or small nature parks, in both public and private lands: wetlands, humans-made lagoons and lake systems, riverbanks and shores, grasslands, roof and rock gardens: lining roads and highways with trees, shrubs, or ornamental plants, and ground landscaping of schools, hospitals, and other government agencies in order to improve the environment in urban areas;

(hhhh) *Water security* refers to the sufficient access throughout the year to the minimum daily requirement of clean water to maintain a healthy life;

(iiii) *Water use* - refers to the appropriation of water for domestic, municipal, irrigation, power generation, inland fisheries, poultry and livestock, industrial and commercial, environmental, and recreational use;

(jjjj) *Watershed* - refers to a topographically delineated area of land from which rainwater can drain as surface run-off *vis-a-vis* a specific stream or river system to a common outlet point which may be a dam,

1 irrigation system or urban water supply take-off point, or where the
2 stream discharges into a river, lake, or the sea;
3 (kkkk) *Zoning* - refers to the regulatory tool for delineating the specific
4 land uses in accordance with the approved CLUP within the territorial
5 jurisdiction of a city/municipality and specifying the conditions for
6 their regulation; subject to the limitations imposed by law and
7 competent authority; and
8 (llll) *Zoning ordinance (ZO)* - refers to a local law passed by the
9 Sangguniang Bayan or Panlungsod approving the development
10 control/zoning plan in accordance with an approved or adopted CLUP
11 of the city/municipality, providing for the regulations and other
12 conditions on the land uses including the limitation on the
13 infrastructure that may be placed within the city's/municipality's
14 territorial jurisdiction. It incorporates the protected areas, protected
15 agricultural lands and ancestral lands as provided for in this Act.

16 17 CHAPTER II 18 FRAMEWORK FOR LAND USE PLANNING 19

20 SEC. 5. *Basic Land Use Considerations.* - Various land uses as categorized in
21 the succeeding section shall be determined in a manner that promotes the
22 policies and principles defined in Section 2 of this Act and shall consider the
23 following elements of the framework therefor, among other:

- 24 (a) Protection land use category as defined in Section 6 shall prevail over
25 existing production land use category. The State shall undertake the
26 necessary action in changing the classification of these production areas;
27 (b) Preservation, conservation, rehabilitation and protection to perpetuity of
28 permanent forestlands, critical watersheds, key biodiversity areas,
29 environmentally critical and ecologically fragile areas and prime
30 agricultural lands from any other land use, conversion, disposition,
31 intrusion, utilization and development aside from their
32 determined use and limits;
33 (c) Protection of natural forests and natural resources ensures environmental
34 stability, conserve biological diversity, improve ecosystem functions and
35 provide long-term ecological and economic benefits. Designated
36 restoration areas are designed to revive the ecosystem functions and
37 services of forests as well as improve the economic and
38 ecological benefits of local communities;
39 (d) Protection of forest and wetlands from infrastructure development to
40 preserve the ecological include, but not limited to, river channelization
41 and dredging, large-scale irrigation and river diversions which reduce
42 riverine habitat and alter flood patterns and natural flow regimes, reduce

- 1 downstream water availability for agriculture and contribute to
2 salinization through saltwater intrusion in coastal areas;
- 3 (e) Resolution of land use conflicts which are life-threatening or threatening
4 to public safety, sustainability of key production resources or employment
5 activities and the delivery of basic services which are harmful or
6 destructive to protected areas, flora, fauna, and other protected natural
7 resources. Greater consideration shall be given to the human and tenurial
8 rights of vulnerable groups in resolving land use conflicts;
- 9 (f) Identification of geo-hazard prone areas and high risk/danger zones
10 and corresponding risk reduction measures to ensure the prioritization of
11 life and safety: *Provided*, that specifically identified and assessed as
12 extremely hazardous and high-risk/danger zones shall be similarly
13 protected and cleared from all forms of human-made obstacles,
14 obstructions and instructions to ensure and secure public health and
15 safety;
- 16 (g) Respect for existing customary rights and traditional land uses of ICCs/IP;
- 17 (h) Identification of settlements areas to check the demand for land and
18 establish the location of employment-generating industries and basic
19 services; and
- 20 (i) The availability of natural resources including indigenous energy
21 resources for energy security and self-sufficiency. However, infrastructure
22 energy projects such as dams with large reservoirs in natural ecosystem
23 shall not be allowed if it would interrupt the connectivity of river systems,
24 disrupt fish spawning and migration, and alter seasonal flood regimes.

25
26 SEC. 6. *Categories of Land Uses for Planning Purpose.* – In determining and
27 defining the national, regional and provincial framework plans, and CLUPs,
28 land uses shall be group into four (4) major functional uses as follows:

- 29 (a) Protection Land Use refers to the use of land primarily reserved for
30 rehabilitation, conservation, and protection purposes and the promotion of
31 the country's ecological and life-support systems. Planning for protection
32 land use intends to achieve environmental stability and ecological
33 integrity, ensure a balance between resource use and the preservation of
34 some areas with environmental, aesthetic, educational,
35 cultural and historical significance, aid and protect people and human-
36 made structures from the ill-effects of natural hazards.

37
38 Areas under this category are those covered by the NIPAS Act of
39 1992 and other coastal and marine protected areas; areas outside NIPAS,
40 which include, but are not limited to:

- 41
42 (1) Natural and restored forests, which consists of:

- 1 (i) All existing areas within forestland containing primarily and
- 2 secondary forest of whatever types or species;
- 3 (ii) All existing areas within forestland containing secondary-growth or
- 4 residual forests of whatever type or specie;
- 5 (iii) Areas identified as key biodiversity areas (KBAs);
- 6 (iv) Restoration areas;
- 7 (v) All mangroves forests;
- 8 (vi) All easement areas as defined under Presidential Decree No. 1067,
- 9 otherwise known as the Water Code of the Philippines; and
- 10 (vii) All other areas that would be deemed appropriate for protection,
- 11 as designated by the Department of Environmental and Natural
- 12 Resources (DENR), subject to the approval of the NLUPC created
- 13 pursuant to Section 55 hereof.
- 14 (2) Rehabilitated and/or reforested degraded mining areas;
- 15 (3) Critical ecosystem for protection, such as:
- 16 (i) Coral reefs;
- 17 (ii) Marshes and wetlands;
- 18 (iii) Lake and rivers;
- 19 (iv) Caves; and
- 20 (v) Waterfalls.
- 21 (4) Disaster-prone areas that include areas subject to, or may be subject to:
- 22 (i) Recurrent flooding;
- 23 (ii) Liquefaction;
- 24 (iii) Tsunamis
- 25 (iv) Storm surges;
- 26 (v) Polar vortex;
- 27 (vi) Mass wasting
- 28 (vii) Volcanic eruption
- 29 (viii) Direct impact of seismic activity;
- 30 (ix) Other disaster caused by climatic conditions; and
- 31 (x) Other areas that pose a high degree of hazard to human
- 32 occupation and activity.
- 33 (5) Critical watershed areas;
- 34 (6) Marine protected areas;
- 35 (7) All prime agricultural land as defined under this Act;
- 36 (8) Ecologically fragile and environmentally critical areas whose
- 37 conversion will result to serious environmental problems and threats
- 38 to public health and safety;
- 39 (9) Natural and human-made areas/sites of cultural, historical and
- 40 anthropological significance, which are declared as such by
- 41 internationally recognized institutions; and
- 42 (10) All other areas not included and declared as production areas shall
- 43 become protected areas.

- (b) Production Land Use refers to the most efficient, sustainable, and equitable utilization, development and management of land for productive purposes which are not classified for protection land use as defined in this section. Areas included in this category are agricultural lands, coastal and marine zones, production forest, mineral lands, energy resource lands, industrial, and tourism development areas where productive activities could be undertaken to meet the country's requirements for economic growth and development. Protection land use shall comprise of, but shall not be limited to:
- (1) Other agricultural lands not identified as prime agricultural lands. They shall consist of, but shall not be limited to:
 - (i) Lands whose soils are suitable agricultural development;
 - (ii) All alluvial plain lands that are suitable for agricultural production and/or can be devoted to food production;
 - (iii) All lands that are traditional sources of staple food;
 - (iv) All croplands required to attain a certain scale of production to sustain the economic viability of existing agro-based industries in the municipality, city or province; and
 - (v) All lands in areas not highly prone to natural hazards that are suitable for the production of tree crops and other cash crops.
 - (2) Coastal, inland water and marine zones, such as fishponds;
 - (3) Production forests, such as:
 - (i) All areas within forestland not classified as protection forests under Section 6(a) and shall be devoted to the production of timber and/or non-forest products or the establishment of industrial tree plantations, tree farms, woodlots, agro-forestry, or as multiple-use forests;
 - (ii) All areas within forestlands considered as rangelands for grazing purposes; and
 - (iii) All areas within forestlands managed under the community-based forest management in areas not classified as protection forests.
 - (4) Rangelands for grazing;
 - (5) Industrial development areas; and
 - (6) Tourism development areas, including potential small island for similar purposes.
- (c) Settlements and Institutional Land Use refers to the use of urban and rural lands for settlements development purposes and/or improvements on existing settlements involving the spatial distribution of population, identification of the roles and functions of key urban centers, determination of relationships among settlement areas, and the provision of basic services and facilities to such settlements. It shall also include lands identified for institutional uses such as educational, administrative, government, law enforcement, health care

1 and social services. Settlements and institutional land uses aim to ensure
2 for the present and future generation the:

3 (1) Effective integration of activities within and among settlements,
4 allowing efficient movement of people and production of commodities
5 through the provision of appropriate land, infrastructure, and facilities;
6 and

7 (2) Access of the population to housing, education, health care, recreation,
8 transportation and communication, sanitation, and basic utilities such
9 as water, power, waste disposal, and other services;

10 (d) Infrastructure Land Use refers to the use of land dedicated to the provision
11 of basic services that foster economic and other forms of integration
12 necessary for producing or obtaining the material requirements of
13 Filipinos, in an efficient, responsive, safe and ecologically friendly built
14 environment. It includes, among others, subsectors like: road networks,
15 transportation and communication facilities, social services,
16 environmental services facilities, and utilities.

17 *Provided, That the determination of the functional uses of lands within*
18 *ancestral domains should be consistent with the land use categories*
19 *provided for in this Act: Provided, further, That other subcategories of land*
20 *uses in delineated ancestral domains may be formulated by the concerned*
21 *ICCs/IPs themselves in accordance with their particular needs and*
22 *traditional resource and management systems.*
23

24 SEC. 7. *Land Use Plans for Ancestral Domains.* – Land use plans for ancestral
25 domains shall be formulated by the ICCs/IPs themselves in accordance with
26 their particular needs and traditional resource and management systems with the
27 assistance of the National Commission on Indigenous Peoples (NCIP), the LGU's
28 and civil society organizations (CSOs) concerned. Such plans shall be recognized
29 and adopted in the barangay, city/municipal, provincial, regional and physical
30 framework plans.

31 Physical framework plans made prior to the delineation of ancestral
32 domains included in such plans or ordinances shall, without prejudice to the
33 rights of the ICCs/IPs concerned, adopt different land use categories in
34 accordance with their particular needs and traditional resource and management
35 systems.

36 In cases where there are no ADSDPPs, the LGUs and the ICCs/IPs shall
37 jointly formulate the land use within the ancestral domain until such time that
38 the ICCs/IPs have formulated their ADSDPPs.
39

40 SEC. 8. *Adoption of Multiple Uses of Land.* - The primary and alternative uses
41 of a specific land resources shall be determined and evaluated by the respective
42 local land use boards prior to any decision for the assignment of its use. Areas
43 feasible for sustainable resource use may be considered multiple-use zones

1 wherein settlements, tourism, agriculture, agro-forestry and extraction activities
2 and other income-generating, or livelihood activities may be allowed, except
3 areas under protection land use: *Provided*, That multiple uses of land resources
4 shall be in accordance with priorities in land use allocation identified in the
5 approved physical framework and land use plans wherein such multiple uses
6 are compatible with the original land use and planning, and that no
7 reclassification shall be allowed: *Provided, further*, That, where there are vested
8 rights, titles, and claims prior to the enactment of this Act over the areas feasible
9 for sustainable land resource use, the same shall be respected.

11 **CHAPTER III** 12 **SPECIAL AREAS OF CONCERN**

13 **ARTICLE ONE. LAND USE CLASSIFICATION**

15
16 SEC. 9. *Review of Land Use Classification.* – The NLUPC shall review and
17 assess the current land use classification system and definitions used in the
18 country to ensure that it reflects the actual use of lands in the country.

19
20 The Land Management Bureau (LMB) shall provide the necessary
21 technical Information, conduct the needed assessment of the status of the existing
22 land use classification and shall submit an assessment report to the NLUPC not
23 later than ninety (90) days from the establishment of the latter.

24
25 SEC. 10. *Consideration of Assessment Report.* – Upon validation and
26 affirmation by local land use boards, the land use classification assessment report
27 submitted by the LMB shall be taken into consideration by the NLUPC in the
28 formulation of its planning guidelines.

29 **ARTICLE TWO. NIPAS AREAS**

30
31
32 SEC. 11. *Integrated Management Strategy.* – For more effective planning,
33 management, and protection of protected areas at the provincial and
34 city/municipal levels, the Protected Area Management Plan (PAMP) referred to
35 in the NIPAS Law shall be incorporated in the Provincial Physical Framework
36 Plan (PPFP) and CLUPs if applicable, wherein protected area zoning shall be
37 reflected.

38 **ARTICLE THREE. AGRICULTURAL LANDS**

39
40
41 SEC. 12. *Priority Areas for Agricultural Development.* – The priority areas for
42 agricultural development are the areas distributed under agrarian reform, areas
43 that can be covered by the Comprehensive Agrarian Reform Program (CARP),

1 and those identified as part of the NPAAAD. The mapping of the NPAAAD
2 under the Agriculture and Fisheries Modernization Act (AFMA) shall be
3 completed not later than one (1) year from the effectivity of this Act.

4
5 SEC. 13. *Conversion of Agricultural Lands.* – All lands considered and
6 identified as prime agricultural lands shall be maintained, managed and
7 protected for agricultural use and shall not be subjected to any form of
8 conversion or reclassification.

9
10 All other agricultural lands not identified as prime agricultural lands can
11 only be converted to nonagricultural uses upon issuance of a DAR conversion
12 order: *Provided*, That such conversion shall not drastically change the nature of
13 the overall land uses in the surrounding and adjacent areas from its existing land
14 use.

15
16 *Provided*, That consistent with the State policy on giving priority to the
17 completion of the CARP, those lands covered under compulsory
18 acquisition/voluntary offer to sell, production or profit-sharing subject to CARP
19 shall also be protected from conversion pending the distribution and/or
20 installation of the farmer beneficiaries.

21
22 *Provided, further*, That pending the completion of mapping activities of the
23 specific areas under the NPAAAD and the SAFDZs under the AFMA and their
24 incorporation in the National Physical Framework Plan (NPFP), the application
25 for conversion of these areas shall not be given due course by the appropriate
26 government agency.

27 28 **ARTICLE FOUR. ANCESTRAL DOMAIN**

29
30 SEC. 14. *Priority Areas for Agricultural Development Within Ancestral Domain.*
31 – Agricultural lands within ancestral domain shall be developed in accordance
32 with their ADSDPP.

33
34 SEC. 15 *Respect for Ancestral Domains.* – The Ancestral Domain
35 Management Plan (ADMP) or ADSDPP shall be adopted and integrated into the
36 CLUP and/or other plans that the LGU is mandated to produce. The extent of
37 ancestral domains shall be reflected in the land use plan, and shall be zoned as
38 such in the zoning ordinance. It shall be comanaged by the LGU and ICC/IP
39 community. Additionally, the ADMP/ADSDPP shall be included in the
40 investment plans of the LGU.

41
42 SEC 16. *Ancestral Domain Policy Adoption.* - Ancestral domain policies shall
43 be adopted in the LGU's land use policy framework. However, in the event that

1 the ADMP/ADSDPP is still in the formulation stage or remains to be formulated,
2 the right to self-determination, and the observance of traditional resource and
3 management systems and processes shall be upheld at all times, as provided for
4 under Republic Act No. 3871.

5
6 **ARTICLE FIVE. FOREST LANDS AND RESERVATION OF**
7 **WATERSHED**
8

9 SEC. 17. *Permanent Forestlands.* – All forestlands are classified as forest or
10 timberlands. Titles, settlements, permits, leases, and/or agreements within
11 critical habitats, critical watershed areas, protected areas and KBAs shall be
12 reviewed, and their legality affirmed. All erroneous titles, settlements, permits,
13 leases and/or agreements within permanent forestlands shall be cancelled or
14 revoked in due course. Noncompliance with and violations of these instrument
15 shall be grounds for their cancellation or revocation:

16
17 *Provided,* That the applicable provision of Republic Act No. 3871 shall be
18 respected.
19

20 SEC. 18. *Additional Areas to be Included as Permanent Forestlands.* – The
21 following lands are needed for environmental protection and forestry purposes
22 and shall not be reclassified as agricultural lands or for any other land use:
23

- 24 (a) Isolated patches of forest, regardless of size and/or area, with rocky
25 terrain or which protect a spring/water source for communal use;
26 (b) All mangroves and swamplands including twenty (20)-meter wide
27 strips facing oceans, lakes and other bodies of water not yet classified as
28 alienable and disposable lands;
29 (c) Ridge tops and plateaus regardless of size found within or surrounded
30 wholly or partially by forestlands where headwaters emanate;
31 (d) Twenty (20)-meter wide strips of land from the edge of the normal
32 height waterline of rivers and streams with channels of at least five (5)
33 meters width which are not yet classified as alienable and disposable;
34 (e) Areas needed for public interest such as research or experimental
35 purposes; and
36 (f) Areas considered as environmentally critical because of their
37 vulnerability to damage from landslides, volcanic eruptions, and other
38 natural causes.
39

40 SEC. 19. *Reversion of Alienable and Disposable Lands to Forestlands.* – Upon
41 the recommendation of the DENR Secretary, duly reviewed and endorsed by the
42 NLUPC, and after due consultations with the concerned LGUs and the affected

1 parties, Congress may authorize the reversion of alienable and disposable lands
2 of the public domain or portion thereof to forestlands.

3
4 SEC. 20. *Critical Watershed Areas.* – The DENR, in coordination with the
5 DA, the LGUs concerned, and other government agencies, including
6 government-owned and - controlled corporations, and after mandatory public
7 hearings/consultations, shall identify and delineate critical watershed areas that
8 need to be protected, rehabilitated, enhanced, and/or withdrawn from uses that
9 contribute to their further degradation.

10
11 SEC. 21. *Formulation and Implementation of Integrated Watershed Management*
12 *Plans.* – With the assistance of the DENR and upon mandatory consultations with
13 the concerned sectors and communities, the LGUs, through their local land use
14 boards, shall prepare their watersheds management plans which shall be
15 integrated into their respected CLUPs. The formulation and integration of the
16 plan shall be guided, among others, by the principle of the management and
17 development of inland water resources at the watershed level and shall be
18 consistent with the National Forestry Master Plan (NFMP).

19
20 The DENR and the concerned LGUs shall jointly implement the watershed
21 management plan subject to regular consultations with and involvement of the
22 community and other stakeholders in the implementation of the plan.

23
24 SEC. 22. *Establishment and Management of National Parks.* – All areas
25 proclaimed by the President and Congress to be under the NIPAS, unless
26 disestablished, including those identified initial components of the NIPAS as
27 KBAs shall comprise the National Parks classification of the public domain. The
28 DENR and concerned LGUs shall ensure that such areas are integrated in the
29 CLUP and physical framework plans. *Provided, however,* That the preparation of
30 management plans of protected areas and national parks shall be in accordance
31 with the provisions of the NIPAS Act and other laws establishing or declaring
32 specific areas as protected areas.

33
34 SEC. 23. *Establishment of Restoration Zones.* – Restoration areas shall be
35 designated in the management plan as such. Designation of restoration zones is
36 compulsory in all forest management plans and for all LGUs.

37 38 **ARTICLE SIX. COASTAL ZONES**

39
40 SEC. 24. *Criteria for the Allocation and Utilization of Lands Within the Coastal*
41 *Zones.* – The allocation and utilization of lands within the coastal zones shall be
42 subject to the following guidelines:

- 1 (a) Areas vegetated with mangrove species shall be protected,
2 preserved and managed as mangrove forestland and shall not
3 be converted to other uses;
- 4 (b) Areas that meet all accepted criteria on elevation, soil type, soil
5 depth topography, supply for successful fishpond development,
6 and are not identified as mangrove protected areas, shall be
7 utilized for aquaculture purposes as long as a 4:1 ratio for
8 mangroves and fishponds is maintained to support ecological
9 processes in mangrove ecosystem;
- 10 (c) Areas subclassified as mangrove and still suitable for use as
11 such, or due to environmental conditions need to be preserved
12 as mangroves but are devoid of mangrove stands, shall not be
13 converted to other uses. The DENR shall ensure that these lands
14 shall be reforested within a given period of time.
- 15 (d) Areas accessible to the sea and identified for fisherfolk
16 settlement and housing but are not part of or are not within any
17 protected land use areas shall be allocated to traditional
18 fisherfolk who are inhabitants of the coastal communities,
19 members of registered fisherfolk organizations, holders of
20 stewardship lease contracts or titles to ancestral domains or any
21 form of property right arrangements who participate in coastal
22 resource management initiatives, subject to the usual census
23 procedures of the Department of Human Settlements and Urban
24 Development (DHSUD): *Provided*, That the government shall
25 issue marine tenurial rights to organizations concerned based on
26 a criteria to be established by the NLUPC;
- 27 (e) Areas that are neither subclassified as mangrove, fisherfolk
28 settlement nor fishpond may be devoted to recreational or
29 tourism purposes: *Provided*, That such undertaking will not
30 result in environmental degradation and displacement of small
31 fisherfolk;
- 32 (f) Areas which are considered as traditional fishing grounds shall
33 be used primarily for such purpose;
- 34 (g) Areas shall be allocated for small infrastructure needed by
35 municipal fisherfolk and for fishing gear, boats, and post-
36 harvest facilities; and
- 37 (h) Areas which form part of foreshore lands as defined in this Act,
38 including those under lease agreements or arrangements shall
39 undergo zoning and evaluation so their boundaries, actual
40 sizes and corresponding uses can be determined while ensuring
41 that mangrove protection or restoration zones are considered to
42 keep the required 4:1 ratio between mangroves and fishponds.
- 43

1 SEC. 25. *Coastal Land Zone Sub classification.* - All public lands in the
2 coastal zones shall be subclassified into any of the following: fishponds,
3 mangroves, protection from tidal surge preservation of biodiversity, habitats and
4 sanctuaries for endangered wildlife, fisherfolk settlement, or
5 recreational/tourism areas. No sub classification of coastal zones to different uses
6 shall be done without the following:

7
8 (a) Conduct of a comprehensive inventory and resource and
9 environmental assessment by the DENR with respective LGUs and
10 accredited Nongovernment organizations/people's organizations
11 (NGOs/POs) within their jurisdiction. The result of such assessment along
12 with a list of all existing applications and expired Foreshore Lease
13 Agreements shall be posted in three (3) conspicuous places in the affected
14 localities; and

15 (b) Prior consultation with local Fisheries and Aquatic Resource
16 Management Councils (FARMCs) formed pursuant to Republic Act. No.
17 8550 or The Philippine Fisheries Code of 1998.
18

19 SEC. 26. *Zoning of Coastal Areas.* - The LGUs, in coordination with the
20 DENR, the FARMCs, local fisherfolk organizations and other concerned
21 stakeholders such as women and the youth, shall prepare the Coastal Zoning
22 Resource Management Plan (CZRMP) which shall be incorporated in the CLUP.
23 Management zones defined in the CZRMP should be reflected in the CLUP and
24 the subsequent ZO.
25

26 SEC. 27. *Tourism and Recreation Zone.* - The designation of areas for
27 tourism and resorts near or over fishery areas or ports thereof shall be with the
28 consent of the concerned LGUs and FARMCs, and shall comply with the policies
29 and guidelines set forth in this Act.
30

31 SEC. 28. *Protection of Waterways, Easements and Flood Plains.* - Structures of
32 any kind shall not be built in waterways and easements. Pursuant to Presidential
33 Decree No. 1067 or the Water Code of the Philippines, the banks of rivers and
34 streams and the shores of the seas and lakes throughout their entire length and
35 within a zero of three (3) meters in urban areas, twenty (20) meters in agricultural
36 areas and forty (40) meters in front areas, along their margins are subject to the
37 easement of public use only in the interest of recreation, navigation, floatage,
38 fishing, and salvage.
39

40 The protection of flood plains shall adopt a river basin management
41 approach, in order to come up with integrated flood mitigation interventions.
42 Development within flood plains and other flood-prone areas must be
43 controlled or, if allowed, must be so sited, constructed and serviced that the lives

1 of occupants are not put at risk and that disruptions during floods are
2 minimized. The identification and characterization of flood-prone areas and
3 flood plains shall be an integral part of the CLUP preparation. The LGUs shall
4 establish land use regulations to mitigate flood risks through the CLUPs and
5 ZOs.

6
7 To promote the best interest and the coordinated protection of flood
8 plains, the Department of Public Works and Highways (DPWH), in coordination
9 with the Department of Science and Technology (DOST) and the DENR, shall
10 declare flood control areas, as necessary, and shall prohibit or control activities
11 that could damage or cause deterioration of lakes and dikes, obstruct the flow of
12 water, change the natural flow of rivers, increase flood losses or aggravate flood
13 problems pursuant to the Water Code of the Philippines.

14
15 SEC. 29. *Disposition of Public Lands for Fishponds.* – Upon the effectivity of
16 this Act, but subject to existing rights and the preceding section, no fishpond
17 lease agreement (FLA) shall be issued for tidal swamps, mangroves and oilier
18 swamps, marshes, ponds, foreshore lands, and coastal areas within public lands,
19 including those presently declared available for fishpond development. The
20 NLUPC, in coordination with the DENR, the DA, the FARMCs and the LGUs
21 shall set aside a portion of available public lands for fish propagation, fish
22 sanctuary, conservation, ecological purposes and fisherfolk settlement
23 areas. Fishponds covered by existing FLAs, but are abandoned or are not
24 operating efficiently and are found suitable for mangroves shall be reforested
25 with mangroves.

26
27 SEC. 30. *Immediate Restoration of Converted Mangrove Areas.* – The DENR, in
28 coordination with the FARMCs and other concerned agencies, shall immediately
29 take steps in the restoration of all abandoned, undeveloped and underutilized
30 fishponds to their original state as mangrove forests.

31 32 **ARTICLE SEVEN. MINERAL LANDS**

33
34 SEC. 31. *Policies on Mineral Lands.* – Land use policies for mineral lands
35 shall be geared towards the rational, ecologically sound, and sustainable use of
36 mineral resources which shall promote economic growth for the local economy
37 and uphold the human rights of indigenous peoples and local communities in the
38 affected areas.

39
40 SEC. 32. *Criteria for the Allocation and Utilization of Lands for Mining*
41 *Purposes.* – The allocation and utilization of lands for mining purposes shall be
42 guided by the following:

- 1 (a) The principle of sustainable development shall be observed at all
2 times;
- 3 (b) In case of small-scale mining, adequate and acceptable safeguards shall
4 be instituted by the holders of mining rights or permits to prevent
5 environmental degradation of the mining sites and adjacent areas;
- 6 (c) Mineral reservations which have become nonoperational for more than
7 ten (10) years as determined by the Mines and Geosciences Bureau (MGB)
8 shall be placed under appropriate surface management by the DENR; and
- 9 (d) Ancestral domains declared as protected by virtue of their ADSDPP as
10 well as all watershed areas shall be closed to mining.

11

12 SEC. 33. *Reversion of Mineral Lands.* – All minerals lands with exhausted
13 mineral resources, as determined by the MGB, shall automatically revert to their
14 original land classification, that is, as forest land or agricultural land. The
15 concerned mining companies shall bear the full cost of rehabilitation of these
16 areas.

17

18 **ARTICLE EIGHT. ENERGY RESOURCES**

19

20 SEC. 34. *Guidelines for the Allocation and Utilization of Lands for Energy*
21 *Resource Exploration, Development, Production, Utilization, and Distribution Purposes.*
22 – To ensure that the objectives of maintaining ecological balance and maximizing
23 the power potential from indigenous energy resources in the most economical
24 and environmentally acceptable means are realized, the allocation and utilization
25 of lands shall be guided by the following, consistent with existing regulations
26 and laws on energy resources:

- 27
- 28 (a) Indigenous energy resource exploration and development, for the
29 purpose of creating a National Energy Resource Inventory and
30 Database as well as an Energy Resource Block Map shall be allowed
31 subject to the implementation of complementary watershed and other
32 land management plans;
- 33 (b) Indigenous energy resource exploration, development production,
34 utilization, and distribution shall be subject to the appropriate
35 requirements and processes of the Philippine Environmental Impact
36 Statement (EIS) system. Each project shall secure an Environmental
37 Compliance Certificate (ECC) prior to project implementation to
38 ensure that adequate and appropriate environmental management
39 measures and optimum methods for resources access and recovery are
40 used;
- 41 (c) Protected areas as defined in Section 4 hereof shall be closed to any
42 kind of energy resource development;

- (d) Energy reservations or portions thereof which have become or have been established to be non-economically viable to operate or are no longer used for energy purposes shall be reclassified to other land uses, subject to existing laws covering energy reservations; and
- (e) Renewable energy shall be preferred over other energy resource.

SEC. 35. *Reversion of Energy Resource Lands.* – All exhausted indigenous energy resource lands as determined by the Department of Energy (DOE), which are not covered by proclamations shall automatically revert to the category of forestlands or agricultural lands open to disposition, whichever is appropriate, unless the DENR shall classify such areas for other purposes. Exhausted energy resource lands shall refer to specific energy resource sites whose energy reserves of the desired type/s are no longer in sufficient quantity or quality to justify additional expenditure for their extraction and utilization.

ARTICLE NINE. SETTLEMENTS DEVELOPMENT

SEC. 36. *Municipalities, Cities, and Settlements Development.* – The development of municipalities, cities, and settlements through CLUP and implemented by the ZOs of cities and municipalities shall be guided by urban zoning standards designed to maximize existing urban spaces taking into account studies of pertinent government agencies on climate change.

SEC. 37. *Settlements Within Geo-hazard Areas and/or High Risk/Danger Zones.* – Settlements within geo-hazard areas and/or high risk/danger zones shall not be allowed. In cases where there are existing settlements within geo-hazard and/or high risk/danger zones, the concerned government agencies shall provide assistance to concerned LGUs and settlers in instituting safety and corrective measures to address the potential danger or risk.

SEC. 38. *Designation of Waste and Environment Management Site.* – Each city or municipality shall identify and designate an area to serve as waste and environment management, waste disposal, and facilities within one (1) year from the effectivity of this Act. The LGUs, in coordination with the DENR or any other competent authority, shall identify sanitary landfill in order to fast-track the conduct of the Environmental Impact Assessment (EIA) study and to facilitate the processing of the ECC. The site or area shall be identified in the city's or municipality's CLUP. For this purpose, cities and municipalities shall establish their solid waste management program, pursuant to Republic Act No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000". Likewise, as provided under Section 33 of the Local Government Code of 1991, cities and municipalities may, through appropriate ordinances, bind themselves towards the establishment of a common solid waste management program.

1
2 Within ninety (90) days from the effectivity of this Act, the DENR, in
3 coordination with concerned agencies, shall promulgate the necessary guidelines
4 and standards for the formulation and establishment of solid waste management
5 programs by cities and municipalities, and shall submit the same to the NLUPC
6 for review and approval.

7
8 SEC. 39. *Designation and Zoning of Socialized Housing Sites.* – Each sites or
9 municipality in urban, urbanizable and rural areas shall designate, through the
10 CLUP, adequate lands for housing or residential purposes, including socialized
11 housing and resettlement areas for the immediate and future needs of the local
12 population as well as the underprivileged and homeless in their territory,
13 pursuant to existing laws and regulations. In order to ensure adequate
14 availability of land for the housing needs of the local population, the CLUP may
15 be revised at the minimum of ten (10) years, and reviewable not earlier than
16 every five (5) years.

17
18 The designated sites for socialized housing shall be located in residential
19 zones, and shall be zoned as socialized housing zones that are integrated in the
20 city's or municipality's ZO, duly approved by the NLUPC, pursuant to existing
21 laws and regulations. Preference shall be given to lands proximate to public
22 transportation facilities which may include *inter alia* railways and public
23 terminals.

24
25 The location of resettlement areas may either be on-site or off-site and may
26 be within the city or municipality: *Provided*, That designated settlement and
27 socialized housing areas shall consider the proximity and accessibility of the
28 affected community to employment, economic activities and social services.

29
30 Within ninety (90) days from the effectivity of this Act, the NLUPC, in
31 coordination with concerned agencies, pursuant to HUDCC Resolution No. 521,
32 Series of 1992; Executive Order No. 124, Series of 1993; and other pertinent
33 guidelines on the matter, shall promulgate the necessary guidelines for the
34 identification and designation of socialized housing sites. All cities and
35 municipalities in urban and urbanizing areas shall identify and designate their
36 socialized housing sites within one (1) year from the effectivity of this Act and
37 must submit the list of these sites and their respective areas to the HUDCC. These
38 sites shall be used exclusively for socialized housing as defined in the UDHA.

39
40 SEC. 40. *Zoning of Identified Sites for Socialized Housing.* – The identified
41 sites for socialized housing shall be located in residential zones identified by the
42 city's or municipality's CLUP and ZO duly approved by the NLUPC. However,
43 for cities and municipalities where the identified sites are not within the said

1 residential zones, the location shall be within the priority sites and conform with
2 the suitability criteria as defined in Sections 6.3 and 6.4 of the Guidelines in
3 HUDCC Resolution No. 521, Series of 1992, or as may be defined in subsequent
4 issuances. The identified sites shall be zoned as socialized housing zones as
5 defined herein.

6
7 The current ZO of LGUs shall be reviewed and revised such that the
8 socialized housing component shall be integrated thereto.

9
10 SEC. 41. *Valuation of Lands for Socialized Housing.* – Equitable land valuation
11 guidelines for socialized housing shall be set by the Department of Finance
12 (DOF) on the basis of the market value reflected in the zonal valuation, or in its
13 absence, on the latest real property tax declaration. For sites already occupied by
14 qualified beneficiaries under the UDHA, and sites identified as socialized
15 housing zones as defined in this Act, the DOF shall factor into the valuation, the
16 blighted status of the land as certified by the LGU or the National Housing
17 Authority (NHA).

18
19 SEC. 42. *Guidelines for Identification of Settlement Sites.* – In identifying
20 settlements areas, prospective sites should be:

- 21
22 (a) Within alienable and disposable lands but not in environmentally
23 critical, geo-hazard or other protection areas;
24 (b) Along established urban growth directions;
25 (c) With provision for or can be provided with basic services and utilities;
26 (d) Within the 0 to 8% slope range; and
27 (e) Accessible from existing built-up areas and other employment centers
28 through existing or proposed roads and other transportation facilities.

29
30 SEC. 43. *Urban Forest or Green Space.* – Each city or highly-urbanizing
31 municipality shall identify, designate, and allocate lands owned by the city or
32 municipality as urban forest or green space, based on the guidelines and
33 standards to be issued by the DENR and approved by the NLUPC.

34
35 SEC. 44. *Protection of Ecological Harmony.* – To ensure the ecological
36 harmony of towns, cities and settlements, certain projects that can alter the
37 present use of a zoned area shall not be issued a building permit, business
38 permit, and/or development permit. The identification of these projects shall be
39 done in coordination with the LGU concerned. All LGUs shall be required to
40 designate restoration areas in their forest land use plans.

1 **ARTICLE TEN. INDUSTRIAL DEVELOPMENT AREAS/SITES**

2
3 SEC. 45. *Criteria for Designating Industrial Development Areas.* – The
4 identification and establishment of industrial development areas shall conform to
5 the provision of Republic Act No. 7916 or the SEZA of 1995 as amended by
6 Republic Act No. 8748, Republic Act No. 6657 or the Comprehensive Agrarian
7 Reform Law (CARL) as amended by Republic Act No. 9700 or the
8 Comprehensive Agrarian Reform Program Extension with Reforms (CARPER),
9 Republic Act No. 8371 or the IPRA, Republic Act No. 7279 or the UDHA,
10 Republic Act No. 8550 or the Philippine Fisheries Code as amended by Republic
11 Act No. 10654, and Republic Act. No. 8435 or the AFMA, taking into
12 consideration the following:

- 13
14 (a) Identified network of areas for agricultural development and protected
15 agricultural areas pursuant to Republic Act No. 8435;
16 (b) National policies on the regional dispersal of industries and agri-based
17 industrial development;
18 (c) Identified growth areas and corridors in the National Development
19 Plan;
20 (d) NIPAS and non-NIPAS areas such as, but not limited to, KBAs and
21 restored areas that require protection;
22 (e) National and Urban Development and Housing Framework;
23 (f) Identified Socialized Housing Zones; and
24 (g) National Framework for Physical Planning and other existing national
25 programs and policies.
26

27 The designated industrial development areas shall be located only in production
28 land use areas and shall become an integral part of the land use plan and ZO of
29 the city or municipality where these areas are located. Republic Act No. 9700,
30 Republic Act No. 8371, Republic Act No. 7279, Republic Act No. 8550, Republic
31 Act No. 8435, and Republic Act No. 7160 or the local Government Code of 1991
32 shall apply to all Special Economic Zones and Free Ports.
33

34 **ARTICLE ELEVEN. TOURISM DEVELOPMENT AREAS**

35
36 SEC. 46. *Designating Tourism Development Areas.* – The identification,
37 selection, and development of tourism development areas, and tourism
38 enterprise zones (TEZs) shall be done in consultation and coordination with the
39 concerned LGUs, the TIEZA, the DOT, and other concerned national government
40 agencies, the private sector and the affected communities, subject to the
41 provisions of Republic Act No. No. 9593 or the Tourism Act of 2009. Tourism
42 development areas shall likewise include those covered by legislative and
43 executive issuances such as tourist spots, tourist zones and tourism ecozones

1 which can be developed into tourism estates or integrated resort, leisure and
2 recreation complexes and other tourism-related facilities as well as those
3 identified in the national, regional, and area- specific tourism master plans and
4 other sector plans, such as ecotourism and agritourism sites: *Provided*, That such
5 sites designated for tourism development are outside of areas identified for
6 protection land use. As much as practicable, community-based tourism shall be
7 the principal mode of tourist spot operation. Republic Act No. 9700, Republic Act
8 No. 8371, Republic Act No. 7279, Republic Act No. 8550, Republic Act No. 8435,
9 and Republic Act No. 7160 shall apply and Executive Order No. 111, Series of
10 1999 that provided for the National Ecotourism Strategy shall likewise apply to
11 all tourist zones and tourist development areas.

12
13 Designated areas for tourism development shall become part of the CLUPs
14 and ZOs of the cities or municipalities where these are located.

15
16 SEC. 47. *Identification and Preservation of Cultural Heritage.* – In accordance
17 with Republic Act No. 10066 or the National Cultural Heritage Act of 2009, the
18 National Historical Commission for Culture and the Arts (NCCA) in
19 coordination with other concerned agencies, local communities, and the private
20 sector, shall identify and declares areas and structures which shall be protected
21 and preserved as part of the Philippine cultural heritage. The NHCP and the NM,
22 in consultation with the NCCA and the HLURB, shall designate heritage zones to
23 protect the historical and cultural integrity of a geographical area that is
24 significant to national history.

25
26
27 The LGUs, in consultation with the NHCP, the NM, and the NCCA, shall
28 designate heritage zones to protect the historical and cultural integrity of
29 integrity of geographical areas and cultural spaces of intangible cultural
30 properties, which are significant to a city or municipality and the community.

31 32 **ARTICLE TWELVE. INFRASTRUCTURE DEVELOPMENT**

33
34 SEC. 48. *Allocation and Use of Land for Infrastructure Development.* – Land,
35 whether public or private, shall be allocated and utilized for priority
36 infrastructure projects that are supportive of national or local development
37 objectives. The National Economic and Development Authority (NEDA), in
38 consultation with the concerned national government agencies, LGUs, and the
39 private sector, shall identify and periodically review, update and/or revise the
40 list of priority infrastructure projects under an overall national strategic
41 infrastructure development plan subject to the provisions of this Act, Republic
42 Act No. 8435 and Republic Act No. 8371: *Provided*, That such national strategic

1 infrastructure development plan shall be consistent and integrated in the
2 objectives and directions of the NPPF.

3
4 In determining and evaluating the list of priority infrastructure of projects,
5 consideration shall be given to those that;

- 6
7 a. Respond to immediate and vital requirements of the national and regional
8 economy with priority to improving production-market integration, inter-
9 modal transport, conveyance and logistic linkages, rural infrastructure
10 and the development of the agriculture and fisheries sectors;
11 b. Upgrade existing facilities to international public safety standards;
12 c. Address the need for sustainable settlements development; and
13 d. Mitigate the destructive effects of natural disaster-causing phenomena or
14 those that shall serve as alternatives to existing infrastructure found in
15 natural hazard-prone areas.

16
17 *Provided, That the provision and implementation of infrastructure support*
18 *shall be made compatible with existing environmental conditions and the*
19 *physical, whether natural or human-made, and cultural character of the area.*
20 *Mandatory public consultations pursuant to existing laws and regulations shall*
21 *be held prior to the conduct of all infrastructure projects that will necessarily*
22 *involve dislocation or displacement of people in the area.*

23
24 *Provided, further, That the proponent of the infrastructure project shall*
25 *follow the rules on just and humane eviction or demolition under Section 28 of*
26 *Republic Act No. 7279 as s last resort notwithstanding the provisions of Republic*
27 *Act No. 8975, prohibiting lower courts from issuing temporary restraining*
28 *orders, preliminary injunctions, or preliminary mandatory injunctions, and that*
29 *the proponent shall follow provisions of Republic Act No. 8371, particularly*
30 *those pertaining to the rights of ICCs/IPs in case of displacement.*

31
32 *Provided, finally, That national government infrastructure projects shall*
33 *provide budgetary allocations for the adequate relocation of displaced*
34 *communities.*

35
36 *SEC. 49. Infrastructure Projects Within Geo – hazard Areas. – Construction of*
37 *priority infrastructure projects within hazard-prone areas shall be allowed;*
38 *Provided, That mitigating and/or preventive measures are adopted and*
39 *implemented to address the potential adverse economic, sociocultural, and*
40 *environment impacts that will emanate from these infrastructure projects, subject*
41 *to the findings and recommendations of a feasibility study/EIA in accordance*
42 *with Presidential Decree No. 1586 (EIS System) and Republic Act No. 4846 or the*
43 *Cultural Properties Preservation and Protection Act.*

Existing projects that were undertaken without the required EIA and which pose a threat to the environment, or to integrity of historic, archaeological, or scientifically significant areas or impinge in critical ecosystems, may be terminated immediately, or mitigating measures: *Provided*, That the rules on mandatory public hearings/Consultations and just and humane eviction or demolition shall also be observed prior to the termination, gradual phase-out, or relocation of projects that will necessarily involve dislocation or displacement of people in the area.

CHAPTER IV

PHYSICAL FRAMEWORK AND LAND USE PLAN

SEC. 50 *National Land Use Planning Process*. – The physical framework and land use planning process shall be participatory, following a combined bottom-up and top-down approach, with mandatory public hearings/consultations conducted at all levels, and shall consider available and updated multidisciplinary scientific information of land uses.

A set of national policy guidelines and standards for physical planning shall be formulated by the NLUPC. These shall guide the preparation and formulation of the NPFP, Regional and Provincial Physical Framework Plans (RPPFPs).

These standards shall give due consideration to conflicting uses and areas being used, declared or designated for agrarian reform, protected areas, coastal resource management and/or ancestral domains.

The NPFP shall define the national strategy and objectives of the country's urban, rural and regional development. It shall guide the rational distribution of population, access to economic opportunities and social services, sustainable utilization of resources, and maintenance of environment integrity.

Furthermore, it shall consider the existing Regional Physical Framework Plans (RPPFPs) and the Provincial Physical Framework Plans (PPFPs).

The RPPFPs, the PPFPs and the CLUPs, which cover the physical development of their respective territories, shall be consistent with the NPFP: *Provided*, That the integration and harmonization of physical framework plans at all levels shall be iterative to ensure that the concerns of both top and bottom levels of government are considered in the NPFP, the RPPFPs, the PPFPs and the CLUPs.

1
2 The physical framework and land use plans prepared at all levels shall be
3 consistent with each other, specifically on the linkages of the major land use
4 categories to ensure their complementation in the utilization, development and
5 management of resources. The period of coverage of the national, regional and
6 provincial framework plans shall be thirty (30) years with regular review and
7 updating every ten (10) years.
8

9 SEC. 51 *National Physical Framework Plan*. – The NPFP shall guide the
10 planning and management of the country's land and other physical resources at
11 the national and sub-national levels, and indicate board spatial directions and
12 policy guidelines on protection land use, production land use, settlement and
13 development and infrastructure development. The NPFP shall be the basis for
14 adopting the land use and physical planning-related guidelines, including zoning
15 and other land use control standards that will guide the formulation of
16 city/municipal ZOs.
17

18 The NLUPC, in consultation with concerned sectors and communities
19 shall update the NPFP after such period that objectives and goals set by the NPFP
20 have been substantially achieved. It shall also formulate and issue the
21 appropriate planning guidelines and standards through which all physical
22 planning, land use and management of resources shall be reviewed, prepared,
23 formulated and monitored.
24

25 The resulting land use plan/physical framework shall be the basis for the
26 identification, formulation and development of national and local development
27 plans, programs, projects and activities of government at all levels.
28

29 SEC. 52. *Regional Physical Framework Plan (RPFP)*. – The RPFP shall provide
30 board spatial directions and policy guidelines on protection land use, production
31 land use, settlement development, and infrastructure development at all regional
32 level and guide the formulation of the PPFPs. The RPFPs. The RPFP shall
33 consider the existing PPFPs and the CLUPs of LGUs within the territorial
34 jurisdiction of the region.
35

36 The Regional Land Use Policy Council (RLUPC), created under Section 59
37 of this Act, shall formulate and periodically update the RPFP based on the
38 guidelines issued by the NLUPC, in a manner consistent with and following the
39 objective of the NPFP. Likewise, the Medium-Term Regional Development Plan
40 (MTRDP) and the Medium-Term Regional Development Investment Program
41 (MTRDIP) shall be guided by and made consistent with the objectives identified
42 in the RPFP.
43

1 SEC. 53. *Provincial Physical Framework Plan (PPFP)*. – The PPFP shall
2 determine the physical development of the entire territory, consolidate and
3 harmonize the comprehensive land use plans of component cities and
4 municipalities, consistent with the RPFP. It shall reflect the indicative land use
5 land use management and physical development direction of the province.
6

7 Further, the PPFP shall serve as basis for other sectoral and development
8 plans related to land, natural resources, infrastructure facilities, including the
9 development plan of the province; the reconciliation and rationalization of the
10 land use proposals among component cities and municipalities with the higher
11 level framework plan; guiding development agencies and private developers,
12 particularly those that undertake large-scale projects: and providing a basis for
13 resolving conflicts arising from the implementation of land use plans and
14 development projects involving two (2) or more municipalities.
15

16 The PPFP shall serve as the basis for the preparation of the Provincial
17 Development Plan (PDP) and the Provincial Development Investment Program
18 (PDIP). The PPFP, the PDP, the PDIP and/or the Provincial Physical Framework
19 and Development Plan (PPFDP) shall serve as the basis for the formulation of
20 sectoral action plans of national government agencies in the province and all
21 LGUs within its jurisdiction. The province may opt to prepare their PDP
22 alongside the preparation of PPFP and consolidate them into a PPFDP:
23

24 *Provided, That PPFDP shall remain consistent with the PPFP: Provided,*
25 *further, That any review or changes in the PPFP shall coincide with the overall*
26 *review process of the NPFP. The Provincial Land Use Planning and Management*
27 *Board (PLUPMB) created under this Act shall ensure that the PPFP is consistent*
28 *with the national and regional planning framework and guidelines issued by the*
29 *NLUPC/RLUPC. The PPFP shall be presented to the Provincial Development*
30 *Council (PDC) for endorsement to the Sangguniang Panlalawigan, which shall*
31 *formally adopt and approved the PPFP. The approved PPFP shall be submitted*
32 *to the RLUPC for consolidation and integration into the RPFP.*
33

34 Under the general supervision of the PLUPMB, the Provincial Planning
35 and Development Coordinator/Office (PPDC/PPDO) shall provide technical,
36 secretariat and administrative support in the preparation, consultation,
37 integration and formulation process of the PPFP.
38

39 SEC. 54. *City and Municipal Comprehensive Land Use Plans (CLUPs)*. – All
40 barangays shall provide their sectoral, temporal and spatial data for the CLUP
41 which shall serve as the foundation for the foundation for the formulation of the
42 city/municipal CLUPs. The data shall be provided by the Sangguniang
43 Pambarangay through stakeholder consultations. The CLUP shall determine the

1 specific uses of land and other physical and natural resources, both private and
2 public, within their territorial jurisdiction including areas comanaged with the
3 national government and, as appropriate, management plans for ancestral
4 domains, critical watersheds, river basins, and protected areas.

5
6 The CLUP shall delineate actual boundaries on the ground within the
7 territorial jurisdiction, embody the desired land use patterns of the barangay, city
8 or municipality, translate and integrate sectoral plans, and provide appropriate
9 policies for each of the four (4) land use planning categories. The spatial
10 directions prescribed in the CLUP shall serve as the basis for the preparation and
11 formulation of the Comprehensive Development Plan (CDP) and Local
12 Development Investment Program (LDIP) of the LGUs.

13
14 Consistent with the national standards and guidelines prescribed in
15 Section 50 of this Act, the cities and municipalities shall, in consultation with the
16 concerned sectors, prepare their respective CLUPs. The City/Municipal Land
17 Use Planning and Management Board (C/MLUPMB) created under this Act shall
18 be responsible for the preparation and formulation of the CLUP and ensure its
19 consistency with national and regional physical planning guidelines and
20 standards. Under the general supervision of the respective
21 C/MLUPMB, the City/Municipal Planning and Development
22 Office/Coordinator (C/MPDO/C) shall provide technical, secretariat and
23 administrative support in the preparation, consultation, integration and
24 formulation process of the respective CLUPs of each city of municipality.

25
26 The CLUPs shall be submitted by the city/municipal local development
27 councils (LDCs) dor adoption and approval of the Sangguniang Bayan (SB). The
28 approved CLUPs shall be submitted to the province for integration into the PFPF.

29 30 **CHAPTER V** 31 **IMPLEMENTING STRUCTURE AND MECHANISM** 32

33 SEC. 55. *Creation of the National Land Use Policy Council (NLUPC).* – The
34 National Land Use Committee (NLUC) under the NEDA Board (NB) is hereby
35 abolished and in its stead, the NLUPC shall be created. It shall exercise the
36 powers and responsibilities identified under this Act and assume the functions of
37 the NEDA Board-National Land Use Committee (NB-NLUC). It shall further
38 exercise the powers and functions pertaining to land use planning vested by law
39 on the Housing and Land Use Regulatory Board (HLURB), except the following
40 which shall remain as official functions of the HLURB:
41

- (a) Formulate land use planning guidelines in the preparation of the CLUPs and ZOs of the LGUs to ensure compliance with the national policies, objectives, priorities and directions set by the NLUPC;
- (b) Provide technical and other forms of planning assistance to, including capacity-building for, LGUs and zoning boards; and
- (c) Act as the appellate body on decisions of local zoning bodies on locational clearance applications and/or oppositions thereto and other zoning issues involving private rights.

The NLUPC shall act as the highest policy-making body on land use and shall resolve land use policy conflicts between or among agencies, branches, or levels of the government. It shall integrate efforts, and monitor developments relating to land use and the evolution of policies.

SEC. 56. *Composition of the NLUPC.*- The NLUPC shall be headed by the Director General of the NEDA as Chairperson. It shall choose a Vice Chairperson from among the members of the Council, who shall assume the functions of the Chairperson in case of absence. The NLUPC shall meet at least once every quarter.

The members of the Council shall be the following:

- (a) The Secretary of the DAR;
- (b) The Secretary of the DA;
- (c) The Secretary of the DENR;
- (d) The Secretary of the Department of the Interior and Local Government (DILG);
- (e) The Chairperson of the NCIP;
- (f) The Chairperson of HUDCC;
- (g) The Chief Executive Officer of the HLURB;
- (h) The Administrator of the NAMRIA;
- (i) The President of the League of Cities of the Philippines (LCP);
- (j) The President of the League of Municipalities of the Philippines (LMP);
- (k) Two (2) representatives each from four (4) basic sectors directly involved in land use, namely: urban poor, peasants, fisherfolk, and indigenous peoples who shall be appointed by the respective National Anti-Poverty Commission (NAPC) sectoral councils. Of the eight (8) sectoral representatives, at least four (4) shall be women, provided that one of whom shall be from the Moro sector;
- (l) Four (4) representatives from the developers' associations, the accredited associations of professionals dealing with land use such as, but not limited to, urban and regional planners, environmental

1 planners, architects, geologists and geodetic engineers, the business or
2 private sectors; and
3 (m) The Head of the NLUPC Secretariat who shall be nonvoting *ex*
4 *officio* member.

5 The members of the Council who are Cabinet Secretaries may
6 designate their duly authorize and permanent representatives whose
7 ranks in no case be lower than Undersecretary.

8
9 SEC. 57. *Powers and Functions of the NLUPC.* – The NLUPC shall have
10 the following powers and functions:

- 11
12 (a) Guide the determination and identification of the country's
13 strategic land use development and physical planning objectives,
14 priorities and directions, as well as recommend the adoption,
15 passage, or amendment of laws to ensure that plans,
16 programs, projects and activities, including local government
17 initiatives affecting land use are consistent with national
18 development objectives;
- 19 (b) Formulate the necessary national policy guidelines in the
20 preparation of the country's physical framework plans, including
21 the setting of limits/target key land uses needed for protection,
22 production, settlements and infrastructure for present and future
23 needs;
- 24
25 (c) Ensure that policies, guidelines and standards on land use and
26 physical planning, including zoning, shall be followed by the
27 RLUPC, local land use boards and concerned national agencies, and
28 that the RPFP, the PPFP and the CLUPs shall be consistent with the
29 NPFP;
- 30
31 (d) Ensure the consistency of other national development and sectoral
32 plans and programs, including the Medium-Term Philippine
33 Development Plan (MTPDP) and Public Investment Program (PIP),
34 with the NPFP;
- 35
36 (e) Integrate and harmonize all laws and policies relevant to land use
37 in order to come up with a rational, cohesive, and comprehensive
38 national land use framework, and if warranted, recommend to
39 Congress the adoption, passage or amendment of laws to ensure
40 that sectoral plans, projects and activities, including local
41 government initiatives affecting land use are consistent with
42 national development objectives;

- (f) Resolve policy conflicts on land use between or among agencies, branches, or levels of government and unresolved land use policy conflicts at the regional level;
- (g) Issue locational clearances for projects of national significance;
- (h) Call on any department, bureau, office, agency, or instrumentality of the government and or private entities and organizations for cooperation, support, and assistance in the performance of its functions;
- (i) Review the NPFP every ten (10) years;
- (j) Advise the President of the Philippines and the NEDA Board on all matters concerning land use and physical planning;
- (k) Adopt rules of procedures for the orderly and expeditious conduct of meetings and other business of Council; and
- (l) Perform such other acts and functions and exercise such other powers as may be necessarily implied, inherent, incidental, or related to the foregoing.

SEC. 58. *NLUPC Secretariat*. – The existing unit of the NEDA in charge of Land Use and Physical Planning Division shall act as NLUPC Secretariat which shall perform functions such as, but not limited to, managing information, gathering of data, coordinate the monitoring of government agencies and LGUs, ensuring multi-stakeholder participation towards formation of local land use policy boards, sharing of database and mapping systems, and reinforcing relevant assessment tools and capability-building programs.

CHAPTER VI

REGIONAL AND LOCAL LAND USE POLICY BODIES

SEC. 59. *Regional Land Use Policy Council (RLUPC)*. – At the regional level, the Regional Land Use Committee (RLUC) is hereby abolished and in its stead, the RLUPC shall be created. The RLUPC shall be institutionalized, replicating the NLUPC structure and composition. It shall chaired by the NEDA Regional Director and exercise the following functions:

- (a) Formulate regional policies and guidelines which are consistent with the national planning guidelines issued by the NLUPC in the preparation and formulation of the respective provincial physical planning and CLUPs of LGUs within its jurisdiction;
- (b) Prepare and periodically update the RPFP, taking into consideration national policies and lower level plans;
- (c) Review, prior to adoption by respective Sanggunians, the PPFPs and the CLUPs of highly urbanized and independent component cities to ensure consistency with the RPFP and national policies set forth by the NLUPC;
- (d) Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among regional line agencies, provinces and cities/municipalities;
- (e) Monitor changes in land use and other physical resources in the region;
- (f) Coordinate and monitor the land use activities of regional line agencies and LGUs;
- (g) Evaluate consistency of major programs and projects of regional agencies and entities with the RPFP and their impact on land use and the environment; and
- (h) Perform other related functions as may be directed by the NLUPC.

In forest land use management, where the watershed area/continuum covers several municipalities across different provinces, an inter-LGU task force composed of representatives from the RLUPC and the concerned municipal LGUs where the watershed area is located shall be formed. With the assistance of the DENR and upon mandatory consultations with the concern sectors, the inter-LGU task force shall formulate the Watershed Management Plan for the said watershed area.

SEC. 60. *Provincial Land Use Planning and Management Board (PLUPMB).* – The Provincial Land Use Committee (PLUC) is hereby abolished. The Provincial Land Use Planning and Management Board of PLUPMB is created in all provinces under this Act to oversee the preparation, integration, adoption and approval of the PPFP and shall ensure its consistency with approved national and regional planning guidelines. The PLUPMB shall also be directly responsible for the effective management and implementation of the approved PPFP and ensure that any existing and future development initiatives, programs and projects introduced within its jurisdiction are consistent with and supportive of the land use resource management and physical planning objectives, directions and character identified in the approved PPFP.

1 SEC. 61. *Powers and Responsibilities of the Provincial Land Use Planning and*
2 *Management Board.* – The following are the powers and responsibilities of the
3 PLUPMB:
4

- 5 (a) Formulate necessary provincial planning guidelines and/or
6 implementing policies for the preparation and formulation of the
7 respective CLUPs within its jurisdiction consistent with approved
8 national and regional planning policies and guidelines;
9
- 10 (b) Submit to the PDC the draft CLUP for its transmission to the
11 Sangguniang Panlalawigan and for the PDC to use it as reference for
12 consistency and complementation with other development plans;
13
- 14 (c) Review, monitor and access the implementation and operationalization
15 of the approved CLUP and its consistency with physical planning and
16 land use management objectives and goals identified in the CLUP;
17
- 18 (d) After an appropriate period of time or upon instruction and advice by
19 the NLUPC, conduct and initiate a progress review of the PPFP and the
20 achievement of its stated objectives and goals and update the PPFP;
21
- 22 (e) Decide and resolve policy conflicts on land use planning, classification,
23 and allocation that may arise between or among cities/municipalities
24 and facilitate the resolution of any unresolved land use conflict,
25 including political boundary conflicts, at the city/municipality level;
26
- 27 (f) Advise the Sangguniang Panlalawigan on all matters pertaining to
28 land use and physical planning;
29
- 30 (g) Promote cooperation and sharing of resources between and among
31 component LGUs of the province or with neighboring LGUs to address
32 common land use and development issues including those related to
33 geo-physical hazards, watershed and river basin management, coastal
34 and marines, climate change impact and disaster risks; and
35
- 36 (h) Assist the Sangguniang Panlalawigan in reviewing the submitted
37 CLUPs of component cities/municipalities to ensure consistency with
38 the PPFP.

39 In cases where the watershed areas transcend the boundaries of a
40 particular municipality, an inter-LGU task force composed of representatives
41 from the PLPMB of the municipal LGUs where the watershed area is located
42 shall be formed.

SEC. 62. *Composition of the PLUPMB.* – The PLUPMB shall be composed of the following fifteen (15) members to be selected based on the rules to be formulated by the NLUPC as provided in this Act:

- (a) The Provincial Planning and Development Coordinator (PPDC)
- (b) The Chairperson of Sangguniang Panlalawigan Committee on Environment and Natural Resources;
- (c) The Provincial Chapter President-League of Municipalities and/or League of Cities;
- (d) The Provincial Agrarian Reform Officer (PARO);
- (e) The Provincial Environment and Natural Resources Officer (PENRO);
- (f) The Provincial Agricultural Officer (PAO);
- (g) The NCIP Provincial Officer;
- (h) The HLURB Regional Officer;
- (i) Three (3) representatives from the local business or private sector, the developers' association and accredited associations of professionals dealing with land use such as but not limited to, urban and regional planners, environmental planners, architects, geologist, geodetic engineers, and chamber of commerce, who shall be appointed from among the accredited organizations within their respective development councils;
- (j) Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers, indigenous peoples): *Provided, That* at least two (2) representatives shall be women: *Provided, further, That* the representatives shall be appointed from among the accredited organizations within their respective development councils: *Provided, finally, That* in predominantly Muslim areas, one shall be from the Moro sector; and
- (k) The designated Board Chairperson to be chosen among the members.

Except for *ex officio* members, the members of the PLUPMB shall be appointed for a term of three (3) years, subject however to the elected office held, government employment and/or official designation of the LGU, national agency and/or local business/private sector association or basic sector group representation in the Board. The NLUPC, within ninety (90) days from its establishment, shall formulate the rules for the selection of the Chairperson and the members of the PLUPMB. The Provincial Planning and Development Coordinator/Office (PPDC/PPDO) shall provide technical secretariat and administrative support and resources for the effective operation of the PLUPMB.

Aside from the PPDO, the PLUPMB may call upon other local and national government offices and agencies such as the local Engineer, Assessor,

1 and local field representatives of the DA, the DPWH, the DOT, the DENR, the
2 DAR, the DepED, the NCIP and other concerned national agencies to assist the
3 PLUPMB in the performance of its roles and mandates.

4
5 The appropriations for the regular operations and activities of the
6 PLUPMB shall be included in the annual budget proposal of the PPDO: *Provided,*
7 That other funds and resources, including grants, applicable service fees and
8 charges collected, contributions, donations, and other funds to support its
9 operations and activities may be accepted and received by the PLUPMB subject
10 to existing auditing and reporting procedures.

11
12 SEC. 63 *City/Municipal Land Use Planning and Management Board*
13 *(C/MLUPMB).* - A City/Municipal Land Use Planning and Management Board
14 or C/MLUPMB is hereby created under this Act in all municipalities and cities,
15 including highly urbanized and component cities, to oversee the preparation,
16 integration, adoption and approval of their respective CLUPs. It shall issue a
17 certificate of Compliance prior to the submission of the CLUP to the Sanggunian
18 to ensure the consistency of such plans with approval national, regional and
19 provincial planning guidelines. The C/MLUPMB shall also be directly
20 responsible for the effective management and implementation of the approved
21 CLUP and for ensuring that existing and future local policies, including ZOs,
22 development initiatives, programs and projects introduced within its jurisdiction
23 are consistent with and supportive of the land use resource management and
24 physical planning objectives, directions and character identified by the approved
25 CLUP.

26
27 SEC. 64. *Powers and Responsibilities of the City/Municipal Land Use Planning*
28 *and Management Board.* - The C/MLUPMB shall exercise the following powers
29 and functions;

- 30
31 (a) Ensure the inclusion of the input of the barangays within the
32 jurisdiction of the respective city/ municipality on sectoral, temporal
33 and spatial dimensions of the plan and its consistency with approved
34 national, regional and provincial planning guidelines;
35 (b) Review, monitor and assess the implementation and operationalization
36 of the approved CLUP and its consistency with physical planning and
37 land use management objectives and goals identified on the CLUP;
38 (c) Issue a Certificate of Compliance to the Sanggunian as proof that CLUP
39 is compliant with national land use policies, guidelines and standards;
40 (d) Submit the LDC the draft CLUP for its transmission to the Sanggunian
41 and for the LDC to use it as basis for consistency of and
42 complementation with other development plans;

- (e) Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among barangays and facilitate the resolution of any unresolved land use conflict, including boundary conflicts, involving barangays;
- (f) Based on the CLUP, review and endorse for approval/disapproval applications for locational clearances, building and zoning permits and/or other planning-related requirement for any project, both private and public, that is submitted to the LGU for issuance;
- (g) Advise the Sangguniang Bayan on all matters pertaining to land use and physical planning; and
- (h) Promote cooperation and sharing of resources between and among its barangays and neighboring LGUs to address common land use and development issues including those related to geo-physical hazards, watershed and river basins, costal and marine waters, climate change impact and disaster risks.

SEC. 65. *Composition of the C/MLUPMB.* – The C/MLUPMB shall be composed of the following thirteen (13) members and shall be headed by a Chairperson:

- (a) The City/Municipal Planning and Development Coordinator (C/MPDC);
- (b) The Chairperson, Sangguniang Bayan Committee on Environment and Natural Resources;
- (c) The President of the Association of Barangay Captains (ABC);
- (d) The Municipal Agrarian Reform Officer (MARO);
- (e) The LGU Environment and Natural Resources Officer (City/Municipal ENRO);
- (f) The Municipal Agriculture Officer (MAO);
- (g) Three (3) representatives from the local business/private sector, the developers' associations, and the accredited associations of professionals dealing with land use such as, but not limited to, urban and regional planners, environmental planners, architects, geologist and geodetic engineers, and chamber of commerce, who shall be appointed from among the accredited organizations within their respective development councils;
- (h) Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers and indigenous peoples): *Provided*, That at least two (2) representatives shall be women: *Provided, further*, That the representatives shall be appointed from among the accredited organizations within their development councils: *Provided finally*, That in predominantly Muslim areas, one shall be from the Moro sector; and
- (i) The designated Board Chairperson to be chosen among the members.

1 Except for *ex officio* members, the members of the C/MLUPMB shall be
2 appointed to a team of three (3) years, subject however to the elected
3 office held, government employment and/or official designation in the
4 LGU, national agency and/or local business/private sector association
5 or basic sector group representation in the Board. The NLUPC, within
6 ninety (90) days from its establishment, shall formulate the rules for the
7 selection of the Chairperson and members of the C/MLUPMB. The
8 City/Municipal Planning and Development Office/Office
9 (C/MPDO/C) shall provide technical secretariat and administrative
10 support and resources for the effective operation of the C/MLUPMB.
11

12 Aside from the C/MPDO/C, the C/MLUPMB may call upon other local
13 and national government officers and agencies such as the local Engineer,
14 Assessor, and local field representatives of the DA, the DPWH, the DOTr, the
15 DOT, the DENR, the DAR, the DepEd and other concerned national agencies to
16 assist the C/MLUPMB in the performance of its roles and mandates.
17

18 The annual appropriations for the operation and activities of the
19 C/MLUPMB shall be included in the annual budget proposal of the
20 C/MPDO/C: *Provided*, That other funds and resources, including grants,
21 applicable service fees and charges collected, contributions, donations, and other
22 funds to support its operations and activities may be accepted and received by
23 the PLUPMB subject to existing auditing and reporting procedures.
24

25 LGUs shall create and/or activities their respective C/MLUPMB upon
26 guidelines issued by the NLUPC for such purposes, not later than six (6) months
27 from the effectivity of this Act.
28

29 **CHAPTER VII**

30 **ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE**

31 **AND PHYSICAL FRAMEWORK PLANS**

32

33 SEC. 66. *Approval and Review of PPFP and CLUPs.* – The PPFP and CLUPs
34 of the respective city/municipal LGUs, including highly urbanized cities and
35 independent component cities shall be submitted by the local use boards to the
36 LDCs for transmission to the local Sanggunian for approval.
37

38 SEC. 67. *Approval of RPFP and NPFP.* – The RPFP and NPFP shall be
39 submitted for review and approval of the RLUPC and NLUPC, respectively,
40 upon the conduct of appropriate stakeholder and agency consultations: *Provided*,
41 That such process and guidelines shall be prepared and issued by the NLUPC
42 within six (6) months from the effectivity of this Act.
43

CHAPTER VIII
MAPPING AND DATA MANAGEMENT FOR LAND USE PLANNING

SEC. 68. *National Mapping and Spatial Data Infrastructure Program (NMSDIP)*. – A national mapping program shall be implemented, coordinated and monitored by the Interagency Technical Committee (ITC) which is hereby created. It shall be composed of the NAMRIA as the lead agency, the BSWM, the Forest Management Bureau (FMB), the LMB, the Land Registration Authority (LRA), the Protected Areas and Wildlife Bureau (PAWB), the MGB, the Philippine Institute of Volcanology and Seismology (PHIVOLCS), the DAR, the DA, the NCIP, the National Water Resources Board (NWRB), the DOE, the National Disaster Risk Reduction and Management Council (NDRRMC), the NEDA, and other concerned government agencies. The ITC shall be constituted, and the mapping and spatial data infrastructure program shall be initiated within thirty (30) days from the effectivity of this Act. The program shall be responsible for the production of base and decision maps and associated spatial database for all planning levels based on the guidelines of the NLUPC.

Under the program, all government stakeholders concerned in the production of maps of various themes shall collaboratively formulate the government's spatial data infrastructure master plan and respective government agency/stakeholders' spatial data infrastructure plans which shall be basis for subsequent funding and eventual project implementation and/or operation.

All pertinent and updated thematic map/data from supporting agencies of the program shall be submitted to the NAMRIA for compilation and integration into a national geospatial database established under the program.

The NAMRIA shall finish its base mapping program within two (2) years upon the effectivity of the Act and provide updates thereof to support the implementation of the spatial data infrastructure program.

The spatial and non-spatial data generation by these activities shall be transmitted to the LGU as soon as practicable. Existing land information data available to the national government agencies as of the effectivity of this Act shall be immediately transmitted to the LGUs.

For purposes of uniformity and standardization, the LGUs, assisted by the appropriate agencies of the national government, shall likewise prepare their respective maps using scales, symbols, and other indicators to be prescribed in accordance with this Act. The completed maps shall be integrated in the NPFP pursuant to Section 51 of this Act.

SEC. 69. *Maps for Planning.* – Within one (1) year after the NLUPC's approval of the Guidelines and Standards for planning at all levels, available NAMRIA maps and all maps made available to NAMRIA by supporting agencies shall be submitted to the NLUPC for national, provincial, cities and municipalities planning. The NLUPC shall forward these maps to the respective PLUPMBs and C/MLUPMBs after it has reviewed and approved them. Pertinent maps to be produced through the NMSDIP shall include, among others:

- a. Topographic Maps;
- b. Geologic Maps;
- c. Hydrologic Maps;
- d. Climate Maps;
- e. Soils Maps;
- f. Slope Maps;
- g. Mineral Resource Maps;
- h. Existing Land Use Maps;
- i. Land Suitability Maps for:
 - 1) Settlements;
 - 2) Agriculture;
 - 3) Industrial areas; and
 - 4) Others,
- j. Agricultural Maps:
 - 1) Network of Protected Areas for Agricultural and Agro-industrial Development;
 - 2) Commodity Specific Development Guide Maps;
 - 3) Land Limitation Maps;
 - 4) Cropping System Zones Maps;
 - 5) Hydro-ecological Conditions Map; and
 - 6) Irrigation Systems Maps.
- k. Land Classification Maps;
- l. Municipal Waters Delineation Maps and MPAs;
- m. Geo-Hazard Maps:
 - 1) Flood-Prone Areas;
 - 2) Hazard Zonation Maps for Volcanoes;
 - 3) Map of Fault Systems;
 - 4) Tsunami-Prone Areas; and
 - 5) Erosion Prone Areas;
- n. Tourism Maps;
- o. Transportation Maps;
- p. Traffic Flow;
- q. Maps Designating Areas Served by:
 - 1) Power;
 - 2) Telecommunications; and

- 1 3) Water.
- 2 r. Maps indicating the following facilities:
- 3 1) Health;
- 4 2) Education; and
- 5 3) Power.
- 6 s. Domestic Water Supply;
- 7 t. Industrial Areas;
- 8 u. Population Distribution Maps;
- 9 v. Ancestral Domain Map;
- 10 w. NIPAS Areas;
- 11 x. Areas Suitable for Urban Expansion;
- 12 y. Watershed Areas; and
- 13 z. Forest Lands:
- 14 1) Protection Areas;
- 15 2) Production Areas; and
- 16 3) Restoration Areas;
- 17 aa. Key Biodiversity Areas; and
- 18 bb. Marine Protected Areas
- 19

20 SEC. 70. *Ground Delineation of the Country's Permanent Forest Line.* –

21 Pursuant to the Constitution and as provided under this Act, the final

22 destination and ground delineation of the country's permanent forest line shall

23 be completed within one (1) year from the effectivity of this Act: *Provided, That*

24 appropriations for the fulfillment of this provision shall be included in the annual

25 appropriations of the DENR: *Provided, further, That* the complete report on the

26 delineation of the country's permanent forest line shall be

27 submitted to the NLUPC for appropriate integration in the country's strategic

28 land use development plan and policies.

29

30 SEC. 71. *Completion and Updating of Existing Cadastral Surveys.* – The

31 completion of incomplete cadastral surveys of LGUs and the updating of existing

32 surveys shall be given priority consideration and allocation of resources in the

33 implementation of this Act. The DENR shall include in its annual appropriations

34 the completion and updating of all incomplete and existing cadastral surveys of

35 all LGUs in the country: *Provided, That* such surveys and maps shall be integrated

36 into the National Spatial Database Information and Mapping System.

37

38 In cases of ancestral domains, self-delineation by ICCs/IPs of their

39 ancestral lands shall be employed to determine boundaries as provided for under

40 Republic Act No. 8371.

41

SEC. 72. *Ground Delineation of Land Use.* – For effective planning to take place at the local level and for easy enforcement of the ZO of each city/municipality, land uses must be identifiable both on the map and on the ground. A Joint Committee comprised of the LGU, as represented by its C/MLUPMB, and of the national government agency concerned, to be assisted by the C/MPDC, shall identify and delineate on the ground the land uses within their jurisdiction. The following shall be given priority:

(a) Forest Lands:

(1) Protection; and

(2) Production.

(b) Ancestral Domains:

(c) NIPAS Areas:

(1) Strict Protection Zone; and

(2) Municipal Use Zone.

(d) Watershed Areas:

(1) Critical; and

(2) Multiple Use.

(e) Network of Protected Areas for Agricultural and Agro-industrial Development (NPAAAD);

(f) Socialized Housing Sites and Settlement Expansion Areas;

(g) Extents of environmentally Constrained Areas;

(h) Easement Areas;

(i) Critical coastal Areas:

(1) Mangroves; and

(2) Sea grass

Critical marine resources shall also be delineated both on the map and in the waters. Perimeters of critical offshore areas, such as coral reefs, shall be marked in accordance with the coastal resource management plans concerned.

All maps shall be updated as new important information and data become available or as determined by urgent need. Updating of maps shall be undertaken not more often than every ten (10) years.

SEC. 73. *National Geo-hazard Mapping Program.* – Within thirty (30) days from the effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated jointly the NLUPC by the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA), the NAMRIA, the MGB, and the DOE, in coordination with the NDRRMC, the Regional Disaster Risk Reduction and Management Councils, and other concerned government agencies. The program shall include the generation of

1 indicative geo-hazard zoning maps that will outline areas in the Philippines
2 which are prone to liquefaction, landslides, flooding, lahar, ground rupturing,
3 tsunami, river erosion, coastal erosion, sinkhole collapse, earthquake, lava flow,
4 pyroclastic flow, base surge, and other natural hazards.

5
6 For purposes of uniformity and standardization and in order to develop a
7 safe-built environment, the LGUs shall subsequently incorporate and integrate
8 the generated geo-hazard zoning maps into their respective CLUPs and ZOs.
9 Said geo-hazard maps shall serve as guide for all the LGUs in the preparation of
10 their own hazards-constrained development plans. The NPFP shall incorporate
11 these geo-hazard maps.

12
13 All entities conducting infrastructure activities including real estate and
14 subdivision projects and the development of tourist spots requiring an ECC shall
15 submit an Engineering Geological and Geo-hazard Assessment Report (EGGAR).

16
17 *SEC. 74. Scope and Nature Responsibilities of Other National Government*
18 *Agencies.* – All concerned national government agencies/bodies shall periodically
19 report to the NLUPC on the various activities and accomplishments on land use.
20 Likewise, they shall provide their respective sectoral/development plans and
21 provide technical and administrative support if called upon by the NLUPC for
22 the implementation of the provisions of this Act.

23
24 *SEC. 75. Submission of Annual Report on the Implementation of CLUPs and*
25 *ZOs.* – The local land use boards shall submit their annual report on the
26 implementation of their land use plans to their respective Sanggunian which
27 shall submit the same to the RLUPCs for consolidation. The RLUPC shall
28 thereafter transmit the consolidated reports to the NLUPC for monitoring and
29 evaluation.

30 31 **CHATER IX** 32 **TRAINING, EDUCATION AND VALUES FORMATION**

33
34 *SEC. 76. Values Formation.* – In order to develop a well-informed,
35 responsible and committed citizenry who value the protection, conservation and
36 development of the country's limited land , and other physical resources, the
37 State shall mandate the inclusion of sustainable land use education or any subject
38 related thereto in the curricula of primary, secondary and tertiary education.

39
40 *SEC. 77. Information/Education Campaign and Capacity-Building.* – The
41 NLUPC shall undertake information/education campaign on land use and
42 physical planning to be implemented by local and national government agencies.
43 The DILG and concerned agencies shall formulate and implement a land use

1 management capability- building program for national and local government
2 officials, community leaders, representatives of NGOs, POs, the religious sector,
3 and the general public.

4
5
6 **CHAPTER X**
7 **INCENTIVES, SANCTIONS AND PENALTIES**

8
9 **ARTICLE ONE, INCENTIVES AND AWARDS**

10
11 *SEC. 78. Formulation of a System of Incentives and Awards.* – The NLUPC
12 shall come up with a system of incentives and awards to LGUs that regularly
13 update their CLUPs/ZOs once every eight (8) years.

14
15 *SEC. 79. Priority in Giving Technical Assistance to LGUs.* – In providing
16 technical assistance and other forms of support related to land use management
17 and implementation of development plans, national government agencies shall
18 give priority to cities and municipalities with approved CLUPs and ZOs.

19
20 **ARTICLE TWO. SANCTIONS AND PENALTIES**

21
22 *SEC. 80. Fine for Failure to Commence or Complete the Development of*
23 *Agricultural Lands With Approved Conversion Order.* – For agricultural lands with
24 approved conversion orders, the provisions of Republic Act No. 6657 (CARL), as
25 amended by Republic Act No. 9700, shall apply. A landowner and/or the
26 designated developer or duly authorized representative who fail to commence
27 and/or complete the development plan defined in the conversion order shall be
28 jointly and severally penalized. The following fines based on the zonal value or
29 the fair market value of the land, whichever is higher, at the time the fine shall be
30 imposed:

31
32 (a) Failure to commence within three (3) years from the date of the
33 conversion order:

- 34 (1) Three percent (3%) for the first three (3) hectares;
35 (2) Ten percent (10%) for the next three (3) hectares; and
36 (3) Fifteen percent (15%) for the remaining area.

37 In such case, the order of conversion shall be revoked by operation of
38 law. The land shall revert to its original use as agricultural land and may be
39 covered by the DAR through compulsory acquisition for distribution to qualified
40 beneficiaries.

(b) Failure to complete sixty percent (60%) of the approved conversion plan within a specified time frame shall result to the automatic revocation by the DAR of the conversion plan on the undeveloped portion. The land shall be reverted to its original use as agricultural land and may be covered under the CARP for land distribution.

SEC. 81. *Persons Abetting Illegal Conversion.* – Any person initiating, causing, inducing or abetting illegal conversion with intent shall be punished with imprisonment or a fine in accordance with Act. No. 3815 or Republic Act No. 3019, or both, at the discretion of the court.

If the offender is a public official or employee, whether elected or appointed, the penalty shall also include dismissal from service, forfeiture of all benefits and entitlements accruing to the public position, and perpetual disqualification to run or apply for any elective or appointive public office.

If the offender is a juridical person, the penalty of imprisonment shall be imposed on the president, chief executive officer, manager, chairperson and all the members of the Board, and other responsible officers thereof. The imposable fine shall be equivalent to the zonal value of the land or forty percent (40%) of the of the stakeholders' equity, whichever is higher. Furthermore, the land shall be forfeited in favor of the State and sold through public auction. The proceeds of the sale shall automatically accrue to the Agrarian Reform Fund.

SEC. 82. *Penalty for Reclassification of Protected Agricultural Lands and Exceeding the Limit of Areas Allowed for Reclassification.* – Any person initiating, causing, inducing, or abetting the reclassification to nonagricultural uses of protected agricultural areas as defined in Section 13 hereof shall be penalized with imprisonment of twelve (12) years or a fine of not less one hundred thousand pesos (₱100,000.00), or both, at the discretion of the court. If the offender is a public official or employee, whether elected or appointed, the penalty shall also include dismissal from service, forfeiture of entitlements accruing to the public position, and perpetual disqualification to run or apply for any elective or appointive public position. If the offender is a juridical person, the penalty shall be imposed on the president, chief executive officer, manager, chairperson and all members of the Board, and other responsible officers thereof. The same penalty shall be applicable to persons who will be responsible for exceeding the limits set forth under Section 20 of the Local Government Code pertaining to reclassification of lands.

SEC. 83. *Payment of Disturbance Compensation.* – Following the order of priority stated in Section 22 of Republic Act. No. 6657, as amended by Republic Act No. 9700, agricultural lessees and share tenants, regular farmworkers,

1 seasonal farmworkers, other farmworkers, actual tillers or occupants of public
2 lands, collective, or cooperative of the above beneficiaries, and others directly
3 working on the land affected by agricultural land use conversion, shall be
4 entitled to the payment of disturbance compensation equivalent to five (5) times
5 the average of the gross harvests on the landholding during the preceding five (5)
6 calendar years or a certain percentage of the converted land, whichever is higher,
7 as determined by the DAR.

8
9 SEC. 84. *Authority to Impose Fine.* – The DAR shall have the authority to
10 impose the fines provided under Section 80, 81, 82 and 83 of this Act.
11

12 SEC. 85. *Withdraw of Local Development Permits and/or Licenses.* – Upon
13 receipt of notice from the DAR, the concerned agencies, cities or municipalities
14 shall withdraw and/or revoke any development permit and/or other licenses
15 that may be necessary to develop the agricultural land subject of conversion.
16

17 SEC. 86. *Utilization of Fines.* – The fines collected under Section 84 hereof
18 shall automatically accrue to the Agrarian Reform Fund consistent with the
19 provision of the Comprehensive Agrarian Reform Law.
20

21 SEC. 87. *Failure of Formulate, Implement and/or Enforce the CLUPs and*
22 *Zoning Ordinances (Zos).* – Consistent with due process, the NLUPC, in
23 coordination with the DILG, shall evaluate, review, and recommend the filing of
24 changes against local chief executives and other local officials and employees
25 responsible for the formulation, implementation and/or enforcement of the
26 CLUPs for the following acts:
27

- 28 (a) Failure of the CLUPs/Zos to confirm to the guidelines provided
29 in the NPPF;
- 30 (b) Failure to complete the preparation of the CLUP despite the
31 availability of funds, resources, and support by the Sanggunian
32 concerned;
- 33 (c) Failure to provide appropriate budgetary allocation to effect its
34 implementation; and
- 35 (d) Failure to implement and enforce the CLUP/ZO due to
36 negligence of duty.

37 Any public official of employee, whether elected, appointed of holding
38 office/employment in a casual, temporary, holdover, permanent, or regular
39 capacity, found to be responsible for any foregoing acts, shall be punished with
40 forfeiture of salaries and allowances, and suspension from:
41

- 1 (1) Three (3) to six (6) months, in case of noncompletion of the CLUP;
2 or
3 (2) Three (3) to six (6) months, in case of nonconformity with the NPFP;
4 or
5 (3) Six (6) to nine (9) months, in case of non-implementation of the
6 CLUP.

7 Failure to comply with the provisions of Republic Act No. 8371 on the
8 formulation of CLUP shall be penalized according to Section 72 of Republic Act
9 No. 8371.

10
11 SEC. 88. *Illegal Conversion of City or Municipal Parks, Communal Forest, and*
12 *Tree Parks in Subdivisions.* – Penalties in the amount of one hundred thousand
13 pesos (₱ 100,000.00) to five hundred thousand pesos (₱ 500,000.00), or
14 imprisonment of six (6) years and one (1) day to twelve (12) years, or both, at the
15 discretion of the court, shall be imposed for each of the following offenses:

- 16
17 (a) Illegally converting or causing the conversion of a city/municipal park,
18 communal forest, or tree parks within subdivisions established
19 pursuant to Presidential Decree No. 953, requiring the planting of trees
20 in certain places, into other uses including the construction of
21 permanent buildings;
22 (b) Destroying or causing damage to timberlands and other forest
23 products found in the abovementioned forest and parks;
24 (c) Setting the abovementioned forest and parks on fire, or negligently
25 permitting a fire to be set therein; and
26 (d) Assisting, aiding or abetting another person to commit the offenses
27 stated in this section.
28

29 The offender shall likewise be imposed a fine equivalent to eight (8) times
30 the commercial value of the forest products destroyed without prejudice to
31 payment of the full cost of rehabilitation of the areas as determined by the DENR.
32

33 The maximum penalty prescribed shall be imposed upon the offender
34 who repeats the same offense, and double the maximum penalty upon the
35 offender who commits the same offense for the third time or more.
36

37 All improvements made therein, as well as all vehicles, domestic animals,
38 and equipment of any kind used in the commission of the offense shall be
39 forfeited in favor of the government.
40

It not suitable for use by the DENR, said improvements, vehicles, domestic animals and equipment shall be sold at public auction, the proceeds from which shall accrue to the Forest Conservation and Development Fund (FCDF).

CHAPTER XI

TRANSITORY AND FINAL PROVISIONS

SEC. 89. *Mandatory Review Every Ten (10) Years.* – The Congress shall undertake a mandatory review of this Act at least once every ten (10) years from its effectivity or as often as it may be deemed necessary to ensure that the land use policies and guidelines remain responsive to changing circumstances.

For this purpose, the Congress may call upon the NULPC to undertake the necessary researches and consultation.

SEC. 90. *Convening of the NLUPC.* – Within thirty (30) days from the effectivity of this Act, the Chairperson shall convene the NLUPC and the Head of the NLUPC Secretariat shall immediately assume office.

SEC. 91. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the NLUPC shall promulgate its implementing rules and regulations (IRR) including the rules on the selection of the members of the C/MLUPMB and the PLUPMB. It shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) newspapers of national circulation.

SEC. 92. *Transfer of Powers and Functions.* – The functions of the HLURB on land use planning as provided for under Sections 5a, 5b, 5c, 5d, 5e, and 5f of the Executive Order No. 648, Series of 1991; and Executive Order No. 72, Series of 1993, shall be immediately transferred to the NLUPC and its appropriate subnational LGU structures, except as provided in Section 55 hereof. Nothing in this Act shall be construed to transfer or limit functions embraced within the said provisions that pertain to or relate to HLURB non-planning functions.

SEC. 93. *Review of Existing Land Use Plans.* – Provinces, cities, and municipalities with existing land use plans shall review, revise, reconcile, and harmonize the same with guidelines and standards issued by the NLUPC within one (1) year from the effectivity of this Act.

SEC. 94. Access to Information. – Access to records and documents pertaining to official acts, transaction, or decisions as well as to data used as basis for policy development by the NLUPC shall be made available to the public.

1 SEC. 95. *Appropriations.* – The amount needed for the initial
2 implementation of this Act shall be charged against the current year's
3 appropriations of the NEDA Board – National Land Use Committee (NBNLUC).
4 Thereafter, such sums as may be necessary for the continued implementation of
5 this Act shall be included in the annual General Appropriations Act.

6
7 SEC. 96. *Congressional Oversight Committee on Land Use Act.* – A
8 Congressional Oversight Committee on the Land Use Act shall be created. It shall
9 be composed of seven (7) members from the Senate and seven (7) members from
10 the House of Representatives. The Members from the Senate shall be appointed
11 by the Senate President based on proportional representation of the parties or
12 coalitions therein, with at least two (2) Senators representing the minority. The
13 members from the House of Representatives shall be appointed by the Speaker of
14 the House of Representatives, also based on proportional representation of the
15 parties or coalitions therein, with at least two (2) Members representing the
16 minority.

17
18 The Oversight Committee shall function for a period of not more than
19 three (3) years to oversee the implementation of this Act. The secretariat of the
20 Oversight Committee shall be drawn from the existing secretariat personnel of
21 the committees comprising the oversight.

22
23 SEC. 97. *Non-impairment Clause.* – Nothing in this Act shall be construed as
24 to diminish or, impair rights recognized, granted, or available to marginalized or
25 the basic sectors under existing laws including, but not limited to, Republic Acts
26 Numbered 7279 and 6657, as amended by Republic Acts Numbered 7942, 8371,
27 8550 and 9700.

28
29 SEC. 98. *Repealing Clause.* – Section 10 of Republic Act No. 8435 and
30 Sections 447 (a2vii) and 458 (a2viii) of Republic Act No. 7160 and related laws
31 and administrative issuances are hereby modified by Section 13 thereof. The
32 pertinent provisions of Executive Order No. 648; Executive Order No. 72 Series of
33 1993; and Executive Order No. 770, Series of 2008, amending Letter of Instruction
34 (LOI) No. 1350, are also modified accordingly, Section 11 of Republic Act No.
35 8435 as to penalty for agricultural inactivity and premature conversion is also
36 modified by Section 83 hereof. LOI No. 1350, Series of 1983; Presidential
37 Proclamation No. 2282, Series of 1983; and all other general and special laws, acts,
38 decrees executive orders, proclamations and administrative regulations, or any
39 part thereof which are inconsistent with this Act are hereby repealed or
40 modified accordingly. All republic acts, executive orders, rules and regulations,
41 and other issuances or parts thereof which are inconsistent with the provisions of
42 this Act are hereby repealed or amended accordingly.

1 SEC. 99. *Separability Clause.* – If, for any reason, any section of or provision
2 of this Act is declared unconstitutional or invalid, the other sections or provisions
3 not affected thereby shall remain in full force and effect.
4

5 SEC. 100. *Effectivity.* – This Act shall take effect fifteen (15) days
6 after its publication in the *Official Gazette* or in at least two (2) national newspaper
7 of general circulation.
8

9 Approved
10